

# HOUSE . . . . . No. 3535

---

## The Commonwealth of Massachusetts

---

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendments of the House Bill making appropriations for the fiscal year 2012 for the maintenance of the departments, boards commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 3401), reports (in part) recommending passage of the accompanying bill (House, No. 3535) [Total Appropriation: \$30,597,923,945.00]. June 30, 2011.

Brian S. Dempsey	Stephen M. Brewer
Stephen Kulik	Steven A. Baddour
Viriato Manuel deMacedo	Michael R. Knapik

# The Commonwealth of Massachusetts

---

In the Year Two Thousand and Eleven

---

## AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2012 FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS AND FOR CERTAIN PERMANENT IMPROVEMENTS

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 2011, and to make certain changes in law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. To provide for the operations of the several departments, boards, commissions and institutions of the commonwealth and other services of the commonwealth, and for certain permanent improvements and to meet certain requirements of law, the sums set forth in sections 2, 2B, 2D, 2E and 3, for the several purposes and subject to the conditions specified in sections 2, 2B, 2D, 2E and 3, are hereby appropriated from the General Fund unless specifically designated otherwise, subject to the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2012. All sums appropriated under this act, including supplemental and deficiency budgets, shall be expended in a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for members of minority groups, women and handicapped persons. All officials and employees of an agency, board, department, commission or division receiving monies under this act shall take affirmative steps to ensure equality of opportunity in the internal affairs of state government, as well as in their relations with the public, including those persons and organizations doing business with the commonwealth. Each agency, board, department, commission or division of the commonwealth,

in spending appropriated sums and discharging its statutory responsibilities, shall adopt measures to ensure equal opportunity in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of compensation, in-service or apprenticeship training programs and all terms and conditions of employment.

SECTION 1A. In accordance with Articles LXIII and CVII of the Articles of Amendment to the Constitution of the Commonwealth and section 6D of chapter 29 of the General Laws, it is hereby declared that the amounts of revenue set forth in this section by source for the respective funds of the commonwealth for the fiscal year ending June 30, 2012 are necessary and sufficient to provide the means to defray the appropriations and expenditures from such funds for said fiscal year as set forth and authorized in sections 2, 2B and 2E. The comptroller shall keep a distinct account of actual receipts from each such source by each such fund to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with the projected receipts set forth herein and to include a full statement comparing such actual and projected receipts in the annual report for said fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

**Fiscal Year 2012 Revenue by Source and Budgeted Fund (in Millions)**

<b>Source</b>	<b>All Budgeted Funds*</b>	<b>General Fund</b>	<b>Commonwealth Transportation Fund</b>	<b>Massachusetts Tourism</b>	<b>Other**</b>
Alcohol. Bev.	\$73.1	\$73.1	\$0.0	\$0.0	\$0.0
Cigarettes	\$445.6	\$445.6	\$0.0	\$0.0	\$0.0
Corporations	\$1,763.2	\$1,763.2	\$0.0	\$0.0	\$0.0
Deeds	\$120.6	\$120.6	\$0.0	\$0.0	\$0.0
Estate Inheritance	\$226.9	\$226.9	\$0.0	\$0.0	\$0.0
Financial Institutions	\$47.6	\$47.6	\$0.0	\$0.0	\$0.0
Income	\$11,577.8	\$11,577.8	\$0.0	\$0.0	\$0.0
Insurance	\$339.9	\$339.9	\$0.0	\$0.0	\$0.0
Motor Fuels	\$688.3	\$0.0	\$687.4	\$0.0	\$0.9
Public Utilities	-\$0.6	-\$0.6	\$0.0	\$0.0	\$0.0
Room Occupancy	\$119.4	\$77.6	\$0.0	\$41.8	\$0.0
Sales-Regular	\$3,574.9	\$3,354.7	\$220.2	\$0.0	\$0.0

Sales-Meals	\$848.4	\$796.1	\$52.3	\$0.0	\$0.0
Sales-Motor Vehicles	\$663.4	\$622.5	\$40.9	\$0.0	\$0.0
Miscellaneous	\$16.5	\$16.5	\$0.0	\$0.0	\$0.0
UI Surcharges	\$19.9	\$0.0	\$0.0	\$0.0	\$19.9
<b>Total Consensus Tax Revenues:</b>	<b>\$20,525.0</b>	<b>\$19,461.7</b>	<b>\$1,000.8</b>	<b>\$41.8</b>	<b>\$20.8</b>
Transfer to School Modernization and Reconstruction Trust (SMART) Fund	-\$678.1	-\$678.1			
Transfer to MBTA State and Local Contribution Fund	-\$779.6	-\$779.6			
Transfer to Pension Reserves Investment Trust Fund	-\$1,478.0	-\$1,478.0			
Transfer to workforce Training Fund	-\$19.9				-\$19.9
<b>Total Consensus Tax Revenue for Budget:</b>	<b>\$17,569.4</b>	<b>\$16,525.9</b>	<b>\$1,000.8</b>	<b>\$41.8</b>	<b>\$0.9</b>
<b>Revenue Changes</b>					
Delay of FAS 109	\$45.9	\$45.9	\$0.0	\$0.0	\$0.0
Tax Revenue Enhancements	\$66.5	\$66.5	\$0.0	\$0.0	\$0.0
<b>Total Taxes Available for Budget:</b>	<b>\$17,681.8</b>	<b>\$16,638.2</b>	<b>\$1,000.8</b>	<b>\$41.8</b>	<b>\$0.9</b>
<b>Non-Tax Revenue</b>					
Federal Reimbursements	\$7,854.6	\$7,877.1	\$0.0	\$0.0	\$6.2
Departmental Revenue	\$2,851.9	\$2,358.8	\$524.4	\$0.0	\$16.4
Consolidated Transfers	\$1,958.3	\$2,154.0	\$0.0	-\$0.3	-\$195.5
<b>GRAND TOTAL</b>	<b>\$30,422.9</b>	<b>\$29,028.1</b>	<b>\$1,525.2</b>	<b>\$41.5</b>	<b>-\$172.0</b>

\* Includes revenue deposited into and transfers out of the Workforce Training Fund, Mass Tourism Fund, Inland Fish and Game Fund, Marine Recreational Fisheries Development Fund and Stabilization Fund.

\*\* Includes tax revenue into the Workforce Training Fund, the Mass Tourism Fund and the Inland Fish and Game Fund

SECTION 1B. The comptroller shall keep a distinct account of actual receipts of non-tax revenues by each department, board, commission or institution to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with projected receipts set forth herein and to include a full statement comparing such receipts with projected receipts in the annual report for



such fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

### **Non-Tax Revenue: Department Summary**

<u>Revenue Source</u>	<u>Unrestricted</u>	<u>Restricted</u>	<u>Total</u>
<b>Judiciary</b>			
Supreme Judicial Court	\$2,975,015	\$0	\$2,975,015
Committee for Public Counsel Services	\$4,027,926	\$8,900,000	\$12,927,926
Appeals Court	\$448,538	\$0	\$448,538
Trial Court System	\$66,091,500	\$53,000,000	\$119,091,500
<i>TOTAL:</i>	<b>\$73,542,979</b>	<b>\$61,900,000</b>	<b>\$135,442,979</b>
<b>District Attorneys</b>			
Middle District Attorney's Office	\$100	\$0	\$100
<i>TOTAL:</i>	<b>\$100</b>	<b>\$0</b>	<b>\$100</b>
<b>Secretary of the Commonwealth</b>			
Secretary of the Commonwealth	\$232,312,186	\$30,000	\$232,342,186
<i>TOTAL:</i>	<b>\$232,312,186</b>	<b>\$30,000</b>	<b>\$232,342,186</b>
<b>Treasurer and Receiver-General</b>			
Office of the Treasurer	\$356,326,210	\$20,262,083	\$376,588,293
State Lottery Commission	\$176,891,777	\$808,308,723	\$985,200,500
<i>TOTAL:</i>	<b>\$533,217,987</b>	<b>\$828,570,806</b>	<b>\$1,361,788,793</b>
<b>Attorney General</b>			
Office of the Attorney General	\$36,374,184	\$775,000	\$37,149,184
<i>TOTAL:</i>	<b>\$36,374,184</b>	<b>\$775,000</b>	<b>\$37,149,184</b>
<b>Inspector General</b>			
Office of the Inspector General	\$0	\$600,000	\$600,000
<i>TOTAL:</i>	<b>\$0</b>	<b>\$600,000</b>	<b>\$600,000</b>
<b>Office of Campaign and Political Finance</b>			
Office of Campaign and Political Finance	\$75,050	\$0	\$75,050
<i>TOTAL:</i>	<b>\$75,050</b>	<b>\$0</b>	<b>\$75,050</b>
<b>Massachusetts Commission Against Discrimination</b>			
Massachusetts Commission Against Discrimination	\$177,500	\$2,100,380	\$2,277,880
<i>TOTAL:</i>	<b>\$177,500</b>	<b>\$2,100,380</b>	<b>\$2,277,880</b>
<b>Office of the State Comptroller</b>			
Office of the State Comptroller	\$448,576,156	\$0	\$448,576,156
<i>TOTAL:</i>	<b>\$448,576,156</b>	<b>\$0</b>	<b>\$448,576,156</b>
<b>Executive Office for Administration and Finance</b>			
Executive Office for Administration and Finance	\$58,355,048	\$0	\$58,355,048
Secretary of Administration and Finance	\$244,289,118	\$0	\$244,289,118
Division of Capital Asset Management and Maintenance	\$16,542,902	\$16,550,000	\$33,092,902
Bureau of State Office Buildings	\$168,600	\$0	\$168,600

Civil Service Commission	\$20,000	\$0	\$20,000
Group Insurance Commission	\$759,553,229	\$1,028,612	\$760,581,841
Division of Administrative Law Appeals	\$45,000	\$0	\$45,000
Department of Revenue	\$206,600,876	\$6,547,280	\$213,148,156
Appellate Tax Board	\$2,057,005	\$400,000	\$2,357,005
Human Resources Division	\$1,000	\$2,056,966	\$2,057,966
Operational Services Division	\$8,467,483	\$4,347,876	\$12,815,359
Information Technology Division	\$0	\$609,730	\$609,730
Public Employee Retiree Administration	\$179	\$0	\$179
<b>TOTAL:</b>	<b>\$1,296,100,440</b>	<b>\$31,540,464</b>	<b>\$1,327,540,904</b>

**Executive Office of Energy & Environmental Affairs**

Executive Office of Energy and Environmental Affairs	\$4,332,450	\$385,000	\$4,717,450
Department of Environmental Protection	\$31,996,559	\$3,313,439	\$35,309,998
Department of Fish and Game	\$15,830,750	\$304,989	\$16,135,739
Department of Agricultural Resources	\$5,584,440	\$0	\$5,584,440
Department of Conservation and Recreation	\$12,447,228	\$8,401,831	\$20,849,059
Department of Public Utilities	\$13,612,530	\$2,350,000	\$15,962,530
Division of Energy Resources	\$4,016,486	\$0	\$4,016,486
<b>TOTAL:</b>	<b>\$87,820,443</b>	<b>\$14,755,259</b>	<b>\$102,575,702</b>

**Executive Office of Health and Human Services**

Department of Veterans' Services	\$15,000	\$300,000	\$315,000
Executive Office of Health and Human Services	\$4,825,793,701	\$225,000,000	\$5,050,793,701
Division of Health Care Finance and Policy	\$309,280,977	\$4,100,000	\$313,380,977
Massachusetts Commission for the Blind	\$2,996,692	\$0	\$2,996,692
Massachusetts Rehabilitation Commission	\$4,477,690	\$0	\$4,477,690
Massachusetts Commission for the Deaf and Hard of Hearing	\$164,047	\$0	\$164,047
Soldiers Home in Holyoke	\$13,617,075	\$1,071,530	\$14,688,605
Soldiers Home in Chelsea	\$13,380,222	\$370,000	\$13,750,222
Department of Youth Services	\$2,963,963	\$0	\$2,963,963
Department of Transitional Assistance	\$434,733,077	\$0	\$434,733,077
Department of Public Health	\$103,467,396	\$60,488,162	\$163,955,558
Department of Children and Families	\$188,262,220	\$4,058,735	\$192,320,955
Department of Mental Health	\$89,079,702	\$10,125,000	\$99,204,702
Department of Developmental Services	\$466,011,387	\$150,000	\$466,161,387
Department of Elder Affairs	\$1,397,680,956	\$750,000	\$1,398,430,956
<b>TOTAL:</b>	<b>\$7,851,924,105</b>	<b>\$306,413,427</b>	<b>\$8,158,337,532</b>

**Massachusetts Department of Transportation**

Massachusetts Department of Transportation	\$524,290,000	\$0	\$524,290,000
<b>TOTAL:</b>	<b>\$524,290,000</b>	<b>\$0</b>	<b>\$524,290,000</b>

**Board of Library Commissioners**

Board of Library Commissioners	\$2,200	\$0	\$2,200
<b>TOTAL:</b>	<b>\$2,200</b>	<b>\$0</b>	<b>\$2,200</b>

**Executive Office of Housing & Economic Development**

Department of Housing and Community Development	\$2,699,068	\$2,323,852	\$5,022,920
Office of Consumer Affairs and Business Regulation	\$563,535	\$500,000	\$1,063,535
Division of Banks	\$20,983,532	\$2,650,000	\$23,633,532
Division of Insurance	\$82,421,250	\$0	\$82,421,250
Division of Professional Licensure	\$17,219,989	\$540,123	\$17,760,112
Division of Standards	\$1,623,925	\$418,751	\$2,042,676
Department of Telecommunications and Cable	\$5,045,970	\$0	\$5,045,970
<b>TOTAL:</b>	<b>\$130,557,269</b>	<b>\$6,432,726</b>	<b>\$136,989,995</b>

**Executive Office of Labor & Workforce Development**

Department of Labor Standards	\$2,575,962	\$452,850	\$3,028,812
Department of Industrial Accidents	\$23,010,250	0	\$23,010,250
Department of Labor Relations	\$102,000	\$99,950	\$201,950
<b>TOTAL:</b>	<b>\$25,688,212</b>	<b>\$552,800</b>	<b>\$26,241,012</b>

**Executive Office of Education**

Department of Early Education and Care	\$199,152,214	\$0	\$199,152,214
Department of Elementary and Secondary Education	\$6,717,591	\$1,367,409	\$8,085,000
University of Massachusetts	\$38,433,873	\$0	\$38,433,873
Bridgewater State College	\$2,276,247	\$0	\$2,276,247
Fitchburg State College	\$2,334,287	\$0	\$2,334,287
Framingham State College	\$2,017,273	\$0	\$2,017,273
Massachusetts College of Liberal Arts	\$371,415	\$0	\$371,415
Salem State College	\$3,225,560	\$0	\$3,225,560
Westfield State College	\$2,492,530	\$0	\$2,492,530
Worcester State College	\$1,978,891	\$0	\$1,978,891
Massachusetts Maritime Academy	\$318	\$0	\$318
Berkshire Community College	\$202,950	\$0	\$202,950
Bristol Community College	\$656,803	\$0	\$656,803
Cape Cod Community College	\$456,343	\$0	\$456,343
Greenfield Community College	\$206,784	\$0	\$206,784
Holyoke Community College	\$931,611	\$0	\$931,611
Mass Bay Community College	\$949,652	\$2,323,852	\$3,273,504
Massasoit Community College	\$834,611	\$0	\$834,611
Mount Wachusett Community College	\$381,498	\$0	\$381,498
Northern Essex Community College	\$585,998	\$0	\$585,998
North Shore Community College	\$781,979	\$0	\$781,979
Quinsigamond Community College	\$383,760	\$0	\$383,760
Springfield Technical Community College	\$855,067	\$0	\$855,067
Roxbury Community College	\$185,333	\$529,843	\$715,176
Middlesex Community College	\$431,435	\$0	\$431,435
Bunker Hill Community College	\$999,634	\$0	\$999,634
<b>TOTAL:</b>	<b>\$267,843,657</b>	<b>\$4,221,104</b>	<b>\$272,064,761</b>

**Executive Office of Public Safety and Security**

Executive Office of Public Safety and Security	\$80,000	\$0	\$80,000
------------------------------------------------	----------	-----	----------

Chief Medical Examiner	\$0	\$2,060,000	\$2,060,000
Criminal History Systems Board	\$7,032,940	\$0	\$7,032,940
Criminal Justice Training Council	2000	900000	\$902,000
Department of State Police	\$544,400	\$31,742,500	\$32,286,900
Department of Public Safety	\$22,387,294	\$6,790,182	\$29,177,476
Department of Fire Services	\$21,653,808	\$8,500	\$21,662,308
Military Division	\$2,500	\$1,400,000	\$1,402,500
Emergency Management Agency	\$736,407	\$0	\$736,407
Department of Correction	\$900,000	\$15,588,999	\$16,488,999
Parole Board	\$400,000	\$600,000	\$1,000,000
<b>TOTAL:</b>	<b>\$53,739,349</b>	<b>\$59,090,181</b>	<b>\$112,829,530</b>
<b>Sheriffs</b>			
Sheriff's Department Hampden	\$432,000	\$4,351,900	\$4,783,900
Sheriff's Department Worcester	\$151,680	\$0	\$151,680
Sheriff's Department Middlesex	\$204,000	\$925,000	\$1,129,000
Sheriff's Department Franklin	\$64,860	\$2,100,000	\$2,164,860
Sheriff's Department Hampshire	\$37,500	\$158,068	\$195,568
Sheriff's Department Essex	\$92,300	\$2,000,000	\$2,092,300
Sheriff's Department Berkshire	\$44,000	\$750,000	\$794,000
Sheriff's Department Association	\$0	\$344,790	\$344,790
Sheriff's Department Barnstable	\$31,285	\$250,000	\$281,285
Sheriff's Department Bristol	\$0	\$8,460,000	\$8,460,000
Sheriff's Department Nantucket	\$0	\$0	\$0
Sheriff's Department Norfolk		\$2,500,000	
Sheriff's Department Plymouth	\$0	\$16,000,000	\$16,000,000
Sheriff's Department Suffolk	\$0	\$8,000,000	\$8,000,000
<b>TOTAL:</b>	<b>\$1,057,625</b>	<b>\$45,839,758</b>	<b>\$46,897,383</b>
<b>Total Non-Tax Revenue :</b>	<b>\$11,563,299,442</b>	<b>\$1,362,821,905</b>	<b>\$12,926,121,347</b>

## Section 2

---

### JUDICIARY.

---

#### Supreme Judicial Court.

---

0320-0003	For the operation of the supreme judicial court, including salaries of the chief justice and the 6 associate justices .....	\$7,437,172
0320-0010	For the operation of the clerk's office of the supreme judicial court for Suffolk county .....	\$1,131,858

0321-0001	For the operation of the commission on judicial conduct .....	\$575,359
0321-0100	For the services of the board of bar examiners .....	\$1,057,789

### **Committee for Public Counsel Services.**

---

0321-1500	For the operation of the committee for public counsel services, as authorized by chapter 211D of the General Laws; provided, that the committee shall develop and implement a system in which no less than 25 per cent of indigent defendants shall be represented by public defender by the end of fiscal year 2012; provided further, that the committee shall provide a report to the legislature, no later than September 1, 2011, detailing an implementation plan for meeting the requirements of the previous proviso, that shall include, but not be limited to, the following: (a) the expected surplus or deficiency for fiscal year 2012 of items 0321-1500 and 0321-1510; (b) the current and projected number of public defenders and private bar advocates assigned to each court house; and (c) any perceived impediments to implementing this plan by the end of fiscal year 2012 and possible solutions to such impediments; provided further, that in hiring public defenders, priority shall be given to current private bar advocates; provided further, that the committee shall submit a report to the clerks of the house of representatives and senate, the joint committee on the judiciary and the house and senate committees on ways and means, no later than January 30, 2012, that shall include, but not be limited to, the following: (a) the number of clients assisted by the committee in the prior fiscal year, delineated by public defender and private bar advocate representation, and further delineated by type of case and geographic location; (b) the average cost for public defender services rendered per client, delineated by type of case and geographic location; (c) the average cost for private bar advocate services rendered per client, delineated by type of case and geographic location; (d) the average number of hours spent per case by public defenders, delineated by type of case and geographic location; (e) the average number of hours billed by private bar advocates, delineated by type of case and geographic location; (f) the total amount of counsel fees paid to the committee by clients for services rendered, delineated by type of case and geographic location; (g) the total of indigent but able to contribute fees paid to the committee by clients for services rendered, delineated by type of case and geographic location; (h) any proposed expansion of legal services delineated by type of service, target population and cost; (i) the total number of persons who received legal services by the committee, by type of case and geographic location; and (j) the costs for services rendered per client, by type of case and geographic location; provided further, that the committee shall submit quarterly reports to the house and senate committees on ways and means starting on October 3, 2011 and ending on June 29, 2012 detailing progress made in providing no less than 25 per cent of indigent defense through public defenders; provided further, that the report shall include, but not be limited to, the following: (a) the number of public defenders that have been hired to date; (b) the offices and divisions that these public defenders have been assigned to; (c) the total number of cases that have been assigned to these public defenders, delineated by type of case; (d) the total number of cases that have been assigned to all public defenders, delineated by type
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

of case; (e) the number of public defender vacancies to be filled; (f) the total number of support staff, investigators, attorneys in charge and management that have been hired; (g) the number of cases that have been assigned to private bar advocates, delineated by type of case; (h) the total billable hours to date of private bar advocates, delineated by type of case; (i) the billable hours of private bar advocates broken down by: travel time, time spent in court, including wait time and trial preparation time, including interview time, investigating time and research time; (j) the number of private bar advocates that have been hired as public defenders; (k) changes to the private bar advocate billing system; (l) the staffing efficiencies that have been achieved; (m) the billing improvements that have been made; (n) the savings that have been realized from hiring more public defenders; (o) the cost effectiveness of private bar advocates; (p) the number and cost of private investigators used, delineated by firm; (q) the number and cost of psychologists and psychiatrists used, delineated by firm; and (r) the progress of obtaining temporary and permanent office space; and provided further, that this data shall be provided in a cumulative manner, delineated by quarter .....\$45,304,806

0321-1510 For compensation paid to private counsel assigned to criminal and civil cases under paragraph (b) of section 6 of chapter 211D of the General Laws, pursuant to section 11 of said chapter 211D; provided, that not more than \$2,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2012 .....\$93,255,462

0321-1518 For the chief counsel for the committee for public counsel services which may expend an amount not to exceed \$8,900,000 from revenues collected from fees charged for attorney representation of indigent clients .....\$8,900,000

0321-1520 For fees and costs as defined in section 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter 261; provided, that not more than \$1,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2012 .....\$9,010,351

### **Massachusetts Legal Assistance Corporation.**

---

0321-1600 For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or otherwise disadvantaged residents of the commonwealth; provided, that the corporation shall submit a report to the house and senate committees on ways and means not later than January 30, 2012 that shall include, but not be limited to, the following: (a) the number of persons whom the programs funded by the corporation assisted in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population and cost; and (c) the total number of indigent or otherwise disadvantaged residents of the commonwealth who received services of the corporation, by type of case and geographic location; provided further, that the corporation may contract with any organization for the purpose of providing the representation; and provided further, that notwithstanding the first paragraph of section 9

of chapter 221A of the General Laws, funds shall be expended for the Disability Benefits Project, the Medicare Advocacy Project, and the Battered Women's Legal Assistance Project .....\$9,500,000

---

**Mental Health Legal Advisors.**

---

0321-2000 For the operation of the mental health legal advisors committee and for certain programs for the indigent mentally ill, established pursuant to section 34E of chapter 221 of the General Laws .....\$781,177

---

**Prisoners' Legal Services.**

---

0321-2100 For the expenses of Prisoners' Legal Services .....\$902,016

---

**Social Law Library.**

---

0321-2205 For the expenses of the social law library located in Suffolk county .....\$1,000,000

---

**Appeals Court.**

---

0322-0100 For the appeals court, including the salaries, traveling allowances and expenses of the chief justice, recall judges and the associate justices .....\$10,501,429

---

**Trial Court.**

---

0330-0101 For the salaries of the justices of the 7 departments of the trial court .....\$47,307,647

0330-0300 For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreements, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rentals and leases, operation of courthouse facilities, rental of county court facilities, witness fees, printing expenses, equipment maintenance and repairs, the court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, permanency mediation services, alternative dispute resolution, court security and judicial training; provided, that the chief justice for administration and management shall submit a report to the house and senate committees on ways and means not later than February 2, 2012, detailing the number of court officers, per diem court officers and security personnel located in each trial court of the commonwealth; provided further, that the chief justice for administration and management may expend funds for guardian ad litem services; provided further, that the trial court shall record all fees that are collected pursuant to subsection (e) of section 2A of chapter 211D of the General Laws and shall record said fees in a separate source code entitled "indigent misrepresentation fees"; provided further, that the trial court shall record all fees that are collected pursuant to subsection (f) of said section 2A of said chapter 211D and shall record said fees in a separate source code entitled "indigent counsel fees"; provided further, that the trial court shall record all fees collected pursuant to S.J.C. Rule 3:10 (10)(c)(ii) and shall record said fees in a separate source code entitled "indigent but

able to contribute fees"; provided further, that not less than \$20,000 shall be spent for the "Grandparents Raising Grandchildren Project" to provide legal services to such grandparents in the areas of family law and public benefits and further requiring the chief justice of administration and management to make a report to the Legislature no later than January 10, 2012 of all the above grandparents who requested legal services, were eligible for legal services and were denied because of insufficient resources, including the legal problem for which they sought assistance; provided further, that notwithstanding any general or special law to the contrary, the chief justice for administration and management shall submit a report to the joint committee on the judiciary and the house and senate committees on ways and means 90 days prior to the temporary closure or temporary relocation of courthouses; provided further, that said report shall include, but not be limited to, the transfer of personnel, the reallocation of resources, the impact on other courthouses resulting from the temporary closure of said court and other factors that may affect implementation of said temporary closure; provided further, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of chapter 30 of the General Laws, or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any such veteran who holds a trial court office or position in the service of the commonwealth not classified under chapter 31 of the General Laws, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30 and who: (1) has held the office or position for not less than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32 of the General Laws; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; and provided further, that the report shall be submitted to the victim and witness assistance board on or before January 10, 2012.....\$185,437,997

## **Superior Court Department.**

---

0331-0100 For the operation of the superior court department; provided, however, that not more than \$6,000,000 may be expended from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter 276 of the General Laws; provided further, that the first \$5,600,000 of revenue received from the fees shall be deposited in the General Fund and not retained; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify amounts not to exceed the lower of 1/2 of this authorization or the most recent



revenue estimate, as reported in the state accounting system;  
provided further, that funds shall be expended for the medical  
malpractice tribunals in accordance with section 60B of chapter 231  
of the General Laws; and provided further, that the clerk of the court  
shall have responsibility for the internal administration of his office,  
including personnel, staff services and record keeping .....\$28,194,577

#### **District Court Department.**

---

0332-0100 For the operation of the district court department, including a civil  
conciliation program; provided, however, that not more than  
\$33,750,000 may be expended from fees charged and collected  
pursuant to section 3 of chapter 90C of the General Laws, section 22  
of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and  
40 of chapter 262 of the General Laws and section 87A of chapter  
276 of the General Laws; provided further, that the first \$34,350,000  
of revenue received from the fees shall be deposited in the General  
Fund and not retained; provided further, that notwithstanding any  
general or special law to the contrary, for the purpose of  
accommodating timing discrepancies between the receipt of  
revenues and related expenditures, the chief justice may incur  
expenses and the comptroller shall certify amounts not to exceed the  
lower of 1/2 of this authorization or the most recent revenue  
estimate, as reported in the state accounting system; provided  
further, that notwithstanding the provisions of any general or special  
law to the contrary, the district court of Chelsea shall be the  
permanent location for the northern trial session to handle 6 person  
jury cases; provided further, that all personnel within said district  
court whose duties related to said northern trial session shall report  
to the clerk magistrate of said district court; and provided further, that  
the clerk magistrate shall utilize whatever space within the facility-at-  
large he deems necessary to comply with S.J.C. Rule 3:12, Canon  
3(A)6 .....\$65,193,836

#### **Probate and Family Court Department.**

---

0333-0002 For the operation of the probate and family court department;  
provided, however, that not more than \$7,000,000 may be expended  
from fees charged and collected pursuant to section 3 of chapter  
90C of the General Laws, section 22 of chapter 218 of the General  
Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the  
General Laws; provided further, that the first \$6,700,000 of revenue  
received from the fees shall be deposited in the General Fund and  
not retained; and provided further, that notwithstanding any general  
or special law to the contrary, for the purpose of accommodating  
timing discrepancies between the receipt of revenues and related  
expenditures, the chief justice may incur expenses and the  
comptroller shall certify amounts not to exceed the lower of 1/2 of  
this authorization or the most recent revenue estimate, as reported in  
the state accounting system.....\$23,480,541

#### **Land Court Department.**

---

0334-0001 For the operation of the land court department; provided, however,  
that not more than \$1,100,000 may be expended from fees charged

and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws; provided further, that the first \$2,000,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify amounts not to exceed the lower of 1/2 of this authorization or the most recent revenue estimate, as reported in the state accounting system .....\$3,086,356

### **Boston Municipal Court Department.**

---

0335-0001 For the operation of the Boston municipal court department; provided, however, that not more than \$3,000,000 may be expended from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter 276 of the General Laws; provided further, that the first \$2,600,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify amounts not to exceed the lower of 1/2 of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$8,782,099

### **Housing Court Department.**

---

0336-0002 For the operation of the housing court department; provided, however, that not more than \$2,000,000 may be expended from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws; provided further, that the first \$1,600,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify amounts not to exceed the lower of 1/2 of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$5,435,377

### **Juvenile Court Department.**

---

0337-0002 For the operation of the juvenile court department; provided, however, that not more than \$150,000 may be expended from fees charged and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section 87A of chapter 276 of the General Laws; provided

further, that the first \$150,000 of revenue received from the fees shall be deposited in the General Fund and not retained; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the chief justice may incur expenses and the comptroller shall certify amounts not to exceed the lower of 1/2 of this authorization or the most recent revenue estimate, as reported in the state accounting system; and provided further, that in fiscal year 2012 the department shall proportionally reduce the amount allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, and 0337-0900 of section 2 of chapter 182 of the acts of 2008 .....\$11,821,774

## **Office of the Commissioner of Probation.**

---

0339-1001 For the office of the commissioner of probation; provided, that associate probation officers shall only perform in-court functions and shall assume the in-court duties of the currently employed probation officers who shall be reassigned within the probation service, subject to collective bargaining agreements, to perform intensive, community-based supervision of probationers, including the intensive supervision and community restraint services in item 0339-1003; provided further, that funds from this item shall be expended for the costs associated with full implementation of chapter 303 of the acts of 2006 and chapter 418 of the acts of 2006 to ensure effective supervision of probationers who are monitored through global positioning system bracelets; provided further, that no funds shall be expended from this item to cover the costs of building leases; provided further, that notwithstanding any general or special law, rule or regulation to the contrary, probation officer personnel and probation clerical support staff assigned to the courts shall be provided with suitable office space in their current location in and around the various divisions and departments of the trial court, as the case may be, or in suitable office space as appropriate, with the advice and consent of the commissioner; and provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to use the department's wage reporting and bank match system for the purpose of weekly tape-matching to determine an individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the General Laws .....\$116,765,364

0339-1003 For the office of community corrections and performance-based contracts for the operation of community corrections centers; provided, that the office shall submit a report to the house and senate committees on ways and means no later than October 12, 2011 on the benchmarks used to assess performance-based contracts; provided further, that the executive director shall submit a spending and management plan for each community corrections center, to include, but not be limited to, the progress and outcomes of performance-based contracting, to the house and senate committees on ways and means not later than January 31, 2012; provided further, that funds from this item shall not be expended between January 1, 2012 and June 30, 2012 for centers which failed to meet minimum performance-based contract requirements as determined by the Executive Director of the Office of Community

Corrections between July 1, 2011 and December 31, 2011; provided further, that the Executive Director of the Office of Community Corrections may make funds from this item available for rehabilitative pilot programs that incorporate evidence-based correctional practices; and provided further, that the executive director shall submit a spending and management plan for each community corrections center which shall include, but not be limited to, the progress and outcomes of performance-based contracting, to the house and senate committees on ways and means not later than June 30, 2012 .....\$22,024,310

0339-2100 For the office of the jury commissioner in accordance with chapter 234A of the General Laws .....\$2,335,818

---

## DISTRICT ATTORNEY.

---

### Suffolk District Attorney.

---

0340-0100 For the Suffolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the domestic violence unit and the Children's advocacy center; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....\$16,052,775

0340-0101 For the overtime costs of state police officers assigned to the Suffolk district attorney's office .....\$354,303

### Middlesex District Attorney.

---

0340-0200 For the Middlesex district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer .....\$13,690,462

0340-0201 For the overtime costs of state police officers assigned to the Middlesex district attorney's office .....\$516,485

### Eastern District Attorney.

---

0340-0300	For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer .....	\$8,411,609
0340-0301	For the overtime costs of state police officers assigned to the Eastern district attorney's office .....	\$504,351

#### **Worcester District Attorney.**

---

0340-0400	For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer .....	\$8,889,774
0340-0401	For the overtime costs of state police officers assigned to the Worcester district attorney's office .....	\$413,499
0340-0410	For the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines and chemicals at the University of Massachusetts Medical School in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments .....	\$420,000

#### **Hampden District Attorney.**

---

0340-0500	For the Hampden district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer . ....	\$8,004,233
0340-0501	For the overtime costs of state police officers assigned to the Hampden district attorney's office .....	\$339,899

#### **Hampshire/Franklin District Attorney.**

---

0340-0600	For the Hampshire/Franklin district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....	\$4,983,716
0340-0601	For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office.....	\$294,248

#### **Norfolk District Attorney.**

---

0340-0700	For the Norfolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer .....	\$8,200,596
0340-0701	For the overtime costs of state police officers assigned to the Norfolk district attorney's office .....	\$427,306

#### **Plymouth District Attorney.**

---

0340-0800	For the Plymouth district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer .....	\$7,113,287
0340-0801	For the overtime costs of state police officers assigned to the Plymouth district attorney's office .....	\$429,842

#### **Bristol District Attorney.**

---

0340-0900	For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault
-----------	-------------------------------------------------------------------------------------------------------------------------------------

prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer .....\$7,401,003

0340-0901 For the overtime costs of state police officers assigned to the Bristol district attorney's office .....\$326,318

### **Cape and Islands District Attorney.**

---

0340-1000 For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer.....\$3,617,658

0340-1001 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office .....\$278,735

### **Berkshire District Attorney.**

---

0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the drug task force and the domestic violence unit; provided, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than \$37,500; provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer; and provided further, that funds shall be expended for the operation and management of the Berkshire County Drug Task Force .....\$3,522,666

0340-1101 For the overtime costs of state police officers assigned to the Berkshire district attorney's office.....\$215,126

---

## **DISTRICT ATTORNEYS ASSOCIATION.**

---

0340-2100 For the operation of the Massachusetts District Attorneys Association, including the implementation and related expenses of

the district attorneys' offices automation and case management and tracking system; provided, that expenses associated with the system may be charged directly to this item; provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item; provided further, that the department shall work in conjunction with the disabled persons protection commission and the 11 district attorneys' offices to prepare a report that shall include, but not be limited to: (a) the number of abuse cases that are referred to each district attorney's office for further investigation; (b) the number of those referrals resulting in the filing of criminal charges, delineated by type of charge; (c) the number of cases referred to each district attorney's office that remains open as of the date for submission of the report; and (d) the number of cases that resulted in a criminal prosecution and the disposition of each such prosecution; provided further, that the report shall be submitted to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than March 14, 2012; provided further, that the association shall work in conjunction with the 11 district attorneys' offices to prepare and submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than February 28, 2012, summarizing the number and types of criminal cases managed or prosecuted by all district attorneys' offices in calendar year 2011 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals and supreme judicial courts in which the cases were managed or prosecuted; provided further, that for each jurisdiction of the courts, the report shall include, but not be limited to: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) a summary of the dispositions or statuses thereof; provided further, that the association shall work in conjunction with the 11 district attorneys' offices to prepare and submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than February 28, 2012, detailing all district attorneys' offices' use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to: (a) the amount of the funds deposited into an office's special law enforcement trust fund in fiscal years 2009, 2010 and 2011; (b) how the funds were used in those fiscal years; and (c) the balance in the fund as of January 2, 2012; provided further, that the department shall work together with the 11 district attorneys' offices to submit a report to the house and senate committees on ways and means and the clerks of the house of representatives and the senate not later than January 31, 2012, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; and provided further, that the report shall include, but not be limited to: (a) the total number of personnel from private law firms participating in the program at each of the 11 district attorney's offices; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program .....\$1,660,006



0340-2117	For the retention of assistant district attorneys with more than 3 years of experience; provided, that the Massachusetts District Attorneys Association shall transfer funds to the AA object class in each of the 11 district attorney offices in the commonwealth; provided further, that the association shall develop a formula for distribution of the funds; provided further, that funds distributed from this item to the district attorneys' offices shall be used for retention purposes and shall not be transferred out of the AA object class; provided further, that not more than \$100,000 shall be distributed to any 1 district attorney's office; provided further that not less than 60 days prior to the distribution of funds the District Attorneys Association shall notify the house and senate committees on ways and means detailing: (a) the methodology used to determine the amount to be dispersed; (b) the amount to be given to each district attorney's office; (c) the reasoning behind the distribution; and (d) the number of assistant district attorneys from each office who would receive funds from this item; and provided further, that no funds shall be expended on the administrative costs of the association .....	\$500,000
0340-8908	For the costs associated with maintaining the Massachusetts District Attorneys Association's wide area network .....	\$1,317,090

---

## EXECUTIVE.

---

0411-1000	For the offices of the governor, the lieutenant governor and the governor's council; provided, that the amount appropriated in this item may be used at the discretion of the governor for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient; provided further, that funds may be expended for the governor's commission on intellectual disability; provided further, that funds may be expended for the governor's development coordinating council; and provided further, that the advisory council on Alzheimer's disease and related disorders, as established in the office of the governor by section 379 of chapter 194 of the acts of 1998 and section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2012 .....	\$4,293,342
-----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

### Office Of The Child Advocate.

---

0411-1005	For the operation of the office of the child advocate .....	\$243,564
-----------	-------------------------------------------------------------	-----------

---

## SECRETARY OF THE COMMONWEALTH.

---

0511-0000	For the operation of the office of the secretary; provided, that the secretary may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the transfer; provided further, that each register of deeds using electronic record books shall ensure that all methods of electronically recording instruments conform to the regulations or standards established by the secretary of state and the records conservation board; and	
-----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

	provided further, that those regulations shall be issued not later than June 29, 2012 .....	\$5,912,424
0511-0001	For the secretary of state who may expend revenues not to exceed \$30,000 from the sale of merchandise at the Massachusetts state house gift shop for the purpose of replenishing and restocking gift shop inventory .....	\$30,000
0511-0002	For the operation of the corporations division; provided, that the division shall implement a corporate dissolution program which shall have a specific focus on limited liability corporations and limited liability partnerships that have failed in their statutory responsibility to file an annual report; and provided further, that the division shall file quarterly reports with the house and senate committees on ways and means detailing the total number of annual reports filed as a result of this program and the amount of revenue generated for the commonwealth .....	\$254,213
0511-0200	For the operation of the archives division .....	\$378,121
0511-0230	For the operation of the records center .....	\$36,217
0511-0250	For the operation of the archives facility .....	\$296,521
0511-0260	For the operation of the commonwealth museum .....	\$243,684
0511-0270	For the secretary of state who shall contract with the University of Massachusetts Donahue Institute to provide the commonwealth with technical assistance on United States census data and to prepare annual population estimates; provided, that the contract shall be for no less than \$250,000 .....	\$500,000
0511-0420	For the operation of the address confidentiality program .....	\$130,858
0517-0000	For the printing of public documents .....	\$600,000
0521-0000	For the operation of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections; provided, that the secretary of state may award grants for voter registration and education; and provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations, prior appropriation continued .....	\$4,900,000
0521-0001	For the operation of the central voter registration computer system .....	\$4,937,121
0524-0000	For providing information to voters .....	\$300,000
0526-0100	For the operation of the Massachusetts historical commission .....	\$750,000
0527-0100	For the operation of the ballot law commission .....	\$10,545
0528-0100	For the operation of the records conservation board .....	\$34,056
0540-0900	For the registry of deeds located in the city of Lawrence in the former county of Essex .....	\$1,017,334

0540-1000	For the registry of deeds located in the city of Salem in the former county of Essex .....	\$2,703,583
0540-1100	For the registry of deeds in the former county of Franklin .....	\$449,288
0540-1200	For the registry of deeds in the former county of Hampden .....	\$1,643,100
0540-1300	For the registry of deeds in the former county of Hampshire .....	\$471,423
0540-1400	For the registry of deeds located in the city of Lowell in the former county of Middlesex .....	\$1,113,611
0540-1500	For the registry of deeds located in the city of Cambridge in the former county of Middlesex .....	\$2,875,012
0540-1600	For the registry of deeds located in the town of Adams in the former county of Berkshire .....	\$250,700
0540-1700	For the registry of deeds located in the city of Pittsfield in the former county of Berkshire .....	\$419,400
0540-1800	For the registry of deeds located in the town of Great Barrington in the former county of Berkshire .....	\$209,483
0540-1900	For the registry of deeds in the former county of Suffolk .....	\$1,734,615
0540-2000	For the registry of deeds located in the city of Fitchburg in the former county of Worcester .....	\$655,072
0540-2100	For the registry of deeds located in the city of Worcester in the former county of Worcester .....	\$2,161,481

---

## TREASURER & RECEIVER GENERAL.

---

### Office of the Treasurer and Receiver General.

---

0610-0000	For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teacher's retirement board; provided further, that the treasurer's office shall submit a report to the victim and witness assistance board which details the amount of assessments transmitted to the treasurer during the previous calendar year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or superintendent of any correctional facility pursuant to section 8 of chapter 258B of the general laws; provided further, that the report shall be submitted to the board on or before January 13, 2012; provided further, that funds may be expended for the payment of bank fees; provided further, that financial assistance shall be made available to injured firefighters; and provided further, that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item .....	\$9,181,660
0610-0010	For programs to promote and improve financial literacy of Massachusetts residents .....	\$85,000

0610-0050	For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that said commission shall maintain at least 1 chief investigator and other investigators for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further, that said commission shall work and cooperate with the Bureau of Alcohol, Tobacco, Firearms and Explosives in the United States Department of Justice and other relevant federal agencies to assist in its efforts to regulate and control the traffic of alcoholic beverages; and provided further, that the commission shall seek out matching federal dollars and apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages.....	\$1,993,336
0610-0051	For the operations of the alcoholic beverages control commission relative to the prevention of underage drinking and related programs, including but not limited to applying for and obtaining federal Alcohol, Tobacco, and Firearms funds, grants, and other federal appropriations; provided further, that the commission is hereby authorized to expend revenues up to \$171,664 collected from fees generated by said commission; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, said commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$171,664
0610-0060	For the costs associated with the investigation and enforcement division of the alcoholic beverages control commission's implementation of the enhanced liquor enforcement programs, known as Safe Campus, Safe Holidays, Safe Prom, and Safe Summer; provided, that funds from this appropriation shall not support other operating costs of item 0610-0050; and provided further, that said commission shall submit a report to the house and senate committees on ways and means not later than March 2, 2012 detailing the results of said program .....	\$100,000
0610-0140	For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing the interest earnings on the General Fund and the Commonwealth Stabilization Fund investments .....	\$21,582
0610-2000	For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005, section 11 of chapter 132 of the acts of 2009 and section 32 of chapter 112 of the acts of 2010; provided, that the office of the state treasurer may expend not more than \$205,000 for costs incurred in the administration of these payments; and provided further, that the treasurer shall notify the house and senate committees on ways and means upon the expenditure of the funds appropriated herein .....	\$2,155,604
0611-1000	For bonus payments to war veterans .....	\$44,500
0612-0105	For payment of the public safety employee killed in the line of duty benefit authorized by section 100A of chapter 32 of the General	

Laws; provided, that the treasurer's office shall provide immediate written notification to the secretary of administration and finance and the house and senate committees on ways and means upon the expenditure of the funds appropriated herein.....\$100,000

---

**Lottery Commission.**

---

0640-0000	For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that all necessary steps shall be taken to implement player activated terminals and raffle-style games in fiscal year 2012; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund.....	\$77,721,702
0640-0005	For the costs associated with the continued implementation of monitor games; provided, that any funds expended on promotional activities shall be limited to point-of-sale promotions and agent newsletters; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund .....	\$2,715,484
0640-0010	For the promotional activities associated with the state lottery program; provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund.....	\$2,000,000
0640-0096	For the purpose of the commonwealth's fiscal year 2012 contributions to the health and welfare fund established pursuant to the collective-bargaining agreement between the lottery commission and the service employees international union, Local 888, AFL-CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund.....	\$355,945

---

**MASSACHUSETTS CULTURAL COUNCIL.**

---

0640-0300	For the services and operations of the council, including grants to or contracts with public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit; and provided further, that funding provided in this item shall be in addition to \$3,000,000 in funding from the Massachusetts Development Finance Authority made available for the Massachusetts cultural council.....\$5,449,866

## Debt Service.

---

0699-0005 For the state treasurer who may retain and expend an amount not to exceed \$20,000,000 in fiscal year 2012 from premiums paid on the sales of revenue anticipation notes and expend such premium payments for the purposes of paying principal and interest on account of the revenue anticipation notes.....\$20,000,000

0699-0015 For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth; provided, that notwithstanding any general or special law to the contrary, the state treasurer may make payments pursuant to section 38C of chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and 0699-0016; provided further, that the payments shall pertain to the bonds, notes, or other obligations authorized to be paid from each item; provided further, that notwithstanding any general or special law to the contrary, the comptroller may transfer the amounts that would otherwise be unexpended on June 30, 2012, from this item to items 0699-9100, 0699-2004 and 0699-0016 or from items 0699-9100, 0699-2004 and 0699-0016 to this item which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2012; provided further, that each amount transferred shall be charged to the funds as specified in the item to which the amount is transferred; provided further, that payments on bonds issued pursuant to section 20 of said chapter 29 shall be paid from this item and shall be charged to the Infrastructure sub-fund of the Commonwealth Transportation Fund; provided further, that notwithstanding any general or special law to the contrary or other provisions of this item, the comptroller may charge the payments authorized in the item to the appropriate budgetary or other fund subject to a plan which the comptroller shall file 10 days in advance with the house and senate committees on ways and means; and provided, further, that the comptroller shall transfer from this item to the Government Land Bank Fund an amount equal to the amount by which debt service charged to the fund exceeds revenue deposited to the fund.....\$1,883,842,211

General Fund.....54.09%  
Commonwealth Transportation Fund.....45.91%

0699-0016 For the payment of interest, discount and principal on certain indebtedness incurred under chapter 233 of the acts of 2008 for financing the accelerated bridge program .....\$25,217,567

Commonwealth Transportation Fund.....100%

0699-2004	For the payment of interest, discount and principal on certain indebtedness which may be incurred for financing the central artery/third harbor tunnel funding shortfall.....\$86,189,403
	Commonwealth Transportation Fund..... 100%
0699-9100	For the payment of costs associated with any bonds, notes or other obligations of the commonwealth, including issuance costs, interest on bonds, bond and revenue anticipation notes, commercial paper and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws and for the payment to the United States pursuant to section 148 of the Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with respect to any bonds or notes or other obligations of the commonwealth; provided, that the treasurer shall certify to the comptroller a schedule of the distribution of costs among the various funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds in accordance with the schedule; and provided further, that any deficit in this item at the close of the fiscal year ending June 30, 2012 shall be charged to the various funds or to the General Fund or Commonwealth Transportation Fund debt service reserves.....\$27,951,544
0699-9101	For the purpose of depositing with the trustee under the trust agreement authorized in section 10B of chapter 11 of the acts of 1997, an amount to be used to pay the interest due on notes of the commonwealth issued pursuant to section 9 of said chapter 11 and secured by the Federal Highway Grant Anticipation Note Trust Fund .....\$22,607,000
	Commonwealth Transportation Fund..... 100%

## **Department of Veterans Services.**

---

1410-0010	For the operation of the department of veterans' services; provided, that the department may fund a housing specialist from this item; provided further, that the department may expend funds for the Glory 54th Brigade; provided further, that the secretary of veterans' affairs shall submit a report to the joint committee on veterans' and federal affairs and the house and senate committees on ways and means not later than December 30, 2011 on the secretariat's implementation of and the outreach efforts of the so-called welcome home bill; provided further, that the report shall include the participation rates for service, hindrances to enrollment for the program and recommendations, including any necessary statutory or other changes to increase the number of service men and women who apply for such service; provided further, the department shall conduct a study of expanded treatment and residential services for veterans with head injuries and other trauma caused by Improvised Explosive Devices and other concussive weapons encountered on the modern battlefield; provided further, that not less than the amount allocated in item 1410-0010 of section 2 of chapter 182 of the acts of 2008 shall be expended for the purpose of maintaining and rehabilitating Massachusetts Vietnam Veterans memorials; provided further, not less than \$15,000 shall be expended for the Vietnam Veterans Moving Wall project in the metro west region; and
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	provided further, that not less than \$25,000 be expended for the USS Massachusetts at Battle Ship Cove.....	\$2,173,506
1410-0012	For services to veterans, including the maintenance and operation of outreach centers; provided, that the department shall increase the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 131 of the acts of 2010 by no less than 10 per cent in fiscal year 2012; provided further, that funds shall not be expended for the Middleboro Veteran Outreach Center; provided further, that the Nathan Hale Foundation in the town of Plymouth shall be the successor to the Middleboro Veteran Outreach Center; provided further, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; and provided further, that these centers shall provide services to veterans who were discharged after September 11, 2001, and their families.....	\$1,912,555
1410-0015	For the women veterans' outreach program .....	\$50,000
1410-0018	For the department of veterans' services which may expend not more than \$300,000 for the maintenance and operation of Agawam and Winchendon veterans' cemeteries from revenue collected from fees, grants, gifts or other contributions to the cemeteries; prior appropriation continued .....	\$300,000
1410-0075	For the purpose of the Train Vets to Treat Vets program; provided, that the department shall work in conjunction with the Massachusetts School of Professional Psychology to establish a behavioral health career development program for returning veterans .....	\$125,000
1410-0250	For veterans' homelessness services; provided, that the department shall increase the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 131 of the acts of 2010 by no less than 10 per cent in fiscal year 2012; and provided further, that the Western Massachusetts Bilingual Veterans Outreach Center shall be the successor to the Springfield Bilingual Veterans Outreach Center at the YMCA .....	\$2,291,380
1410-0251	For the maintenance and operation of homeless shelters and transitional housing for veterans at the New England Center for Homeless Veterans located in the city of Boston .....	\$2,278,543
1410-0300	For the payment of annuities to certain disabled veterans and the parents and un-remarried spouses of certain deceased veterans; provided, that the payments shall be made pursuant to section 6B of chapter 115 of the General Laws; provided further, that the department shall take reasonable steps to terminate payments upon the death of a recipient; provided further, that the department shall prorate annuity payments to ensure that the total payments in fiscal year 2012 shall not exceed the amount appropriated herein; and provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter .....	\$20,135,820



1410-0400	For reimbursements to cities and towns for money paid for veterans' benefits and for payments to certain veterans under section 6 of chapter 115 of the General Laws; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amounts of veterans' benefits paid by cities and towns to residents of a soldier's home shall be paid by the commonwealth to the several cities and towns; provided further, that pursuant to section 9 of said chapter 115, the department shall reimburse cities and towns for the cost of United States flags placed on the graves of veterans on Memorial Day; provided further, that notwithstanding any general or special law to the contrary, the secretary of veterans' services shall continue a training program for veterans' agents and directors of veterans' services in cities and towns; provided further, that the department of veterans' services shall provide such training in several locations across the commonwealth; provided further, that training will be provided annually and on an as needed basis to veterans' services organizations to make them aware of the provision of said chapter 115 and all other benefits to which a veteran or the veteran's dependents may be entitled; provided further, that any person applying for veterans' benefits to pay for services available under chapter 118E of the General Laws shall also apply for medical assistance under said chapter 118E to minimize cost to the commonwealth and its municipalities; provided further, that veterans' agents shall complete applications authorized by the executive office under said chapter 118E for any veteran, widow and dependent applying for medical assistance under said chapter 115; provided further, that the veterans' agent shall file the application for the veteran or dependent for assistance under said chapter 118E; provided further, that the executive office shall act on all chapter 118E applications and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E healthcare; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter 115 pending approval of the application for assistance under said chapter 118E by the executive office; provided further, that the secretary may supplement healthcare pursuant to said chapter 118E with healthcare coverage under said chapter 115 if he determines that supplemental coverage is necessary to afford the veteran or dependent sufficient relief and support; provided further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall not be considered income for the purposes of determining eligibility under said chapter 118E; and provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be considered countable income .....	\$38,980,045
1410-0630	For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon.....	\$948,313

---

## STATE AUDITOR.

---

### Office of the State Auditor.

---

0710-0000	For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws .....	\$13,659,122
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

0710-0100	For the operation of the division of local mandates .....\$379,643
0710-0200	For the operation of the bureau of special investigations; provided, that the office shall file quarterly reports with the house and senate committees on ways and means detailing the total amount of fraudulently obtained benefits identified by the bureau of special investigations of the office of the state auditor, the total value of settlement restitution payments, actual monthly collections and any circumstances that produce shortfalls in collections .....\$1,812,420
0710-0225	For the operation of the Medicaid Audit Unit within the Division of Audit Operations in an effort to prevent and to identify fraud and abuse in the MassHealth system; provided, that the federal reimbursement for any expenditure from this item shall not be less than 50 per cent; provided further, that the division shall submit a report no later than December 1, 2011 to the house and senate committees on ways and means detailing all findings on activities and payments made through the MassHealth system; provided further, that the unit shall engage in a memorandum of understanding with the secretary of administration and finance to develop a system for the recovery of identified funds; and provided further, that the unit shall file a report with the house and senate committees on ways and means no later than February 22, 2012 on the total amount of recoveries identified, actual recovery collections, and any reasons why identified funds were not collected .....\$897,829

---

## ATTORNEY GENERAL.

---

0810-0000	For the office of the attorney general, including the administration of the local consumer aid fund, the operation of the anti-trust division, all regional offices, a high-tech crime unit and the victim and witness compensation program; provided, that the victim and witness assistance program shall be administered in accordance with chapters 258B and 258C of the General Laws; and provided further, that the attorney general shall submit to the general court and the secretary of administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim .....\$22,251,155
0810-0004	For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of \$50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including, but not limited to, the provisions outlined in section 5 of chapter 258B of the General Laws .....\$2,188,340
0810-0007	For the overtime costs of state police officers assigned to the attorney general; provided, that expenditures shall not be made on or

	after the effective date of this act which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item .....	\$340,676
0810-0013	For the office of the attorney general which may expend for a false claims program an amount not to exceed \$775,000 from revenues collected from enforcement of the false claims law; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$775,000
0810-0014	For the operation of the department of public utilities proceedings unit within the office of the attorney general, pursuant to section 11E of chapter 12 of the General Laws; provided, that notwithstanding any general or special law to the contrary, the amount assessed under said section 11E of said chapter 12, shall equal the amount expended from this item and the associated fringe benefits costs for personnel paid from this item; and provided further, that funds shall be expended for the expenses of legal and technical personnel and associated administrative and travel expenses relative to participation in regulatory proceedings at the Federal Energy Regulatory Commission on behalf of Massachusetts ratepayers .....	\$2,355,145
0810-0021	For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the expenditure; provided further, that funds shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further, that training shall include instruction on techniques for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of said chapter 111 .....	\$4,064,923
0810-0045	For the labor law enforcement program pursuant to subsection (b) of section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws .....	\$2,952,428
0810-0201	For the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made available in this item may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general; provided further, that notwithstanding any general or special law to	

the contrary, the amount assessed for these costs shall be equal to the amount expended from this item and the associated fringe benefits costs for personnel paid from this item; and provided further, that funds may be expended for costs associated with health insurance rate hearings .....\$1,539,942

0810-0338 For the investigation and prosecution of automobile insurance fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item and the associated fringe benefits costs for personnel paid from this item.....\$438,506

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item and the associated fringe benefits costs for personnel paid from this item; provided further, that the attorney general shall investigate and prosecute, when appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws .....\$284,456

---

**Victim and Witness Assistance Board.**

---

0840-0100 For the operation of the victim and witness assistance board; provided, that the board shall submit a comprehensive report compiled from the information required of and submitted to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the collection of assessments for the previous calendar year under section 8 of chapter 258B of the General Laws; and provided further, that the report shall be submitted to the house and senate committees on ways and means on or before February 16, 2012.....\$494,923

0840-0101 For the salaries and administration of the SAFEPLAN advocacy program, to be administered by the Massachusetts office of victim assistance; provided, that the office shall submit to the house and senate committees on ways and means, not later than February 1, 2012, a report detailing the effectiveness of contracting for the program including, but not limited to, the number and type of incidents to which the advocates responded, the type of services and service referrals provided by the domestic violence advocates, the cost of providing such services and the extent of coordination with other service providers and state agencies .....\$741,199

---

**STATE ETHICS COMMISSION.**

---

0900-0100 For the operation of the state ethics commission .....\$1,796,500

---

**OFFICE OF THE INSPECTOR GENERAL.**

---

0910-0200 For the operation of the office of the inspector general.....\$2,231,913

0910-0210	For the office of the inspector general which may expend revenues collected up to a maximum of \$600,000 from the fees charged to participants in the Massachusetts public purchasing official certification program and the certified public manager program for the operation of such programs; provided, that for the purpose of accommodating discrepancies between the receipts of retained revenues and related expenditures, the office of the inspector general may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$600,000
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

---

**OFFICE OF CAMPAIGN AND POLITICAL FINANCE.**

---

0920-0300	For the operation of the office of campaign and political finance .....	\$1,270,342
-----------	-------------------------------------------------------------------------	-------------

---

**MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.**

---

0940-0100	For the office of the commission, including the processing and resolution of cases pending before the commission that were filed on or before July 1, 2005; provided, that on or before November 1, 2011, the commission shall submit to the house and senate committees on ways and means a report on the total number of all currently pending cases and the total number of the cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the commission shall file an update of the report with the committees on or before March 7, 2012; provided further, that the commission shall identify in the reports the number of cases in which the commission has determined there is probable cause to believe that a violation of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means, on or before November 1, 2011, the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases in which the Massachusetts Bay Transportation Authority is named as a respondent, and the number of the cases in which there is probable cause to believe that a violation of said chapter 151B has been committed; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2011 and the total number of cases closed by the commission in fiscal year 2011; provided further, that funds made available in this item shall be in addition to funds available in item 0940-0101; provided further, that all positions, except clerical, shall be exempt from chapter 31 of the General Laws; and provided further, that the commission shall pursue the highest allowable rate of federal reimbursement.....	\$2,543,312
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

0940-0101	For the Massachusetts commission against discrimination which may expend not more than \$2,030,380 from revenues from federal reimbursements received for the purposes of the United States Department of Housing and Urban Development fair housing type 1 program and the equal opportunity resolution contract program
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

during fiscal year 2012 and federal reimbursements received for these and other programs in prior years; provided, that notwithstanding any general or special law to the contrary, the commission may also expend revenues generated through the collection of fees and costs so authorized; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$2,030,380

0940-0102 For the Massachusetts commission against discrimination which may expend not more than \$70,000 from revenues collected from fees charged for the training and certification of diversity trainers for the operation of the discrimination prevention certification program.....\$70,000

---

## COMMISSION ON THE STATUS OF WOMEN.

---

0950-0000 For the commission on the status of women .....\$70,000

---

## COMMISSION ON GAY, LESBIAN, BISEXUAL AND TRANSGENDER YOUTH.

---

0950-0050 For the commission on gay and lesbian, youth; provided, that funds shall be used to address issues related to the implementation of Chapter 92 of the Acts of 2010.....\$100,000

---

## OFFICE OF THE STATE COMPTROLLER.

---

1000-0001 For the office of the state comptroller; provided, that the amount of any federal funds and grant receipts credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary of administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services and the full-year estimate of revenues and revenues collected; provided further, that notwithstanding any general or special law to the contrary, the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter into interdepartmental service agreements with state agencies, as applicable, for such purpose; provided further, that 60 days before entering into any interdepartmental service agreement the comptroller shall notify the house and senate committees on ways and means; provided further, that the notification shall include, but not be limited to, a description of the project, the purpose and intent of the interdepartmental service agreement, a projection of the costs avoided in the current fiscal year, a copy of the contract with the private vendor including the

proposed rate of compensation and any previous agreements related or similar to the new agreement with the above information; provided further, that payments to private vendors on account of such cost avoidance projects shall be made only from such actual cost savings as have been certified in writing to the house and senate committees on ways and means by the comptroller and the budget director as attributable to such cost avoidance projects; provided further, that the comptroller may establish such procedures, in consultation with the budget director and the affected departments, as he deems appropriate and necessary to accomplish the purpose of this item; and provided further, that the comptroller shall submit a report on such projects as a part of his annual report pursuant to section 12 of chapter 7A of the General Laws .....\$7,800,434

---

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

---

### Office of the Secretary of Administration and Finance.

---

1100-1100      For the office of the secretary; provided, that the secretary shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards, departments, commissions or divisions to determine whether such agencies, boards, departments, commissions or divisions are complying with the commonwealth's policies of nondiscrimination and equal opportunity; provided further, that whenever noncompliance is determined by the secretary, the secretary shall hold a public hearing on the matter and report the resulting recommendations to the head of the particular agency, board, department, commission or division, to the governor and to the Massachusetts commission against discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this act, including supplemental and deficiency budgets, as to compliance or noncompliance with affirmative action policies to the chairs of the house and senate committees on ways and means, the joint committee on public service and the joint committee on labor and workforce development on or before December 1, 2011; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements.....\$2,776,193

1100-1201      For the operation of the office of commonwealth performance, accountability and transparency; provided, that the activities funded from this item may include, but not be limited to, the operations and maintenance of a performance management program, maximization of federal revenue opportunities and oversight of compliance with federal reporting requirements including the implementation and oversight of the Federal Financial Accountability and Transparency Act section 14C of chapter 7 of the General Laws and other statewide transparency initiatives to enhance program integrity and ongoing efforts to prevent fraud, waste and abuse throughout the executive branch; provided further, that funds may be expended for performing enhanced economic forecasting and analysis; and provided further, that the unit may develop guidelines and

	methodologies for agencies to follow in the forecasting of caseloads and revenue .....	\$350,000
1100-1700	For the provision of information technology services within the executive office for administration and finance .....	\$24,651,208
1106-0064	For the caseload and economic forecasting office within the commonwealth performance, accountability and transparency office; provided, that the caseload and economic forecasting office shall forecast: (1) MassHealth enrollment by group; (2) participation in state subsidized child care provided through items 3000-3050, 3000-4050 and 3000-4060; (3) participation in emergency assistance and housing programs provided through items 7004-0101 and 7004-0108; (4) enrollment, both active member and dependent, in the group insurance commission; (5) recipients of direct benefits provided by the department of transitional assistance through items 4403-2000, 4405-2000 and 4408-1000; and (6) other related economic forecasts; provided further, that the office shall report its forecasts to the executive office for administration and finance and the house and senate committees on ways and means not later than December 1, 2011; and provided further, that the office shall submit an updated forecast to the executive office for administration and finance and the house and senate committee on ways and means not later than March 15, 2012 .....	\$150,000

#### **Division of Capital Asset Management and Maintenance.**

1102-3205	For the division of capital asset management and maintenance which may expend for the maintenance and operation of the Massachusetts information technology center, the state transportation building and the Springfield state office building an amount not to exceed \$16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other sources pertaining to the operations of said facilities; provided, that the division shall work with the committee on public counsel services to ensure that all public defenders hired in fiscal year 2012 shall have access to adequate office space; provided further, that the division shall identify any office space that may be vacated by the staffing plan implemented pursuant to item 0321-1500 and shall prioritize use for public defenders; and provided further, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system .....	\$16,250,000
1102-3232	For the division of capital asset management and maintenance; provided, that the division may expend not more than \$300,000 received from application fees charged in conjunction with the certification of contractors and subcontractors pursuant to section 44D of chapter 149 of the General Laws; provided further, that only expenses, including staffing, incurred to implement and operate the certification program shall be funded from this item; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures,	



the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system .....\$300,000

#### **Bureau of State Office Buildings.**

---

1102-3301	For the operation of the bureau and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of buildings; provided, that the bureau shall continue to provide funding for all janitorial services at the same level provided in fiscal year 2011 for all the buildings under the jurisdiction of the state superintendent; and provided further, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau .....	\$5,051,138
1102-3302	For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings.....	\$6,205,820
1102-3306	For the maintenance and joint operation of the state house under the jurisdiction of the state superintendent of state office buildings and the legislature's joint committee on rules; provided, that the bureau shall work in coordination with the house of representatives and the senate relative to the maintenance, repair, purchases and payments for materials and services.....	\$700,034
1102-3307	For state house accessibility coordination, including communications access to public hearings and meetings; provided, that access shall include interpreter services for the deaf and hard of hearing .....	\$138,476

#### **Office on Disability.**

---

1107-2400	For the Massachusetts office on disability.....	\$562,272
-----------	-------------------------------------------------	-----------

#### **Disabled Persons Protection Commission.**

---

1107-2501	For the disabled persons protection commission; provided, that the commission shall facilitate compliance by the department of mental health and the department of developmental services with uniform investigative standards; provided further, that the commission shall report to the house and senate committees on ways and means no later than the last day of each quarter on the number of claims of abuse by caretakers made by employees or contracted service employees of the department of developmental services, the department of mental health, and the Massachusetts rehabilitation commission; provided further, that the report shall include: (a) the number of substantiated claims; (b) the number of unsubstantiated claims; and (c) the number of false claims reported as a result of intentional and malicious action; and provided further, that the commission shall ensure that all calls received by the commission's 24-hour hotline shall be capable of being recorded, that all persons who call the hotline shall be immediately informed that all calls are routinely recorded and that each such person shall be provided with the opportunity to elect that the call not be recorded .....	\$2,210,698
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

## **Civil Service Commission.**

---

1108-1011	For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation herein through a fee charged on a per claim basis; provided further, that said commission shall develop and implement regulations to provide for reimbursement to the General Fund; and provided further, that the civil service commission may assess a fee upon the appointing authority when inappropriate action has occurred .....	\$410,000
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

## **Group Insurance Commission.**

---

1108-5100	For the administration of the group insurance commission; provided, that the commission shall generate the maximum amounts allowable under the federal Consolidated Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections 8, 10B, 10C and 12 of chapter 32A of the General Laws; provided further, that the group insurance commission shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements; and provided further, that \$125,000 shall be used for wellness programs as established in Chapter 288 of the Acts of 2010 .....	\$2,561,709
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

1108-5200	For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2012; provided, that notwithstanding any general or special law to the contrary, funds in this item shall not be available during the accounts-payable period of fiscal year 2012, and any unexpended balance in this item shall revert to the General Fund on June 30, 2012; provided further, that the secretary of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions which have federal or other funds allocated to them for this purpose, for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that funds may be expended from this item for the commonwealth's share of group insurance premium and plan costs provided to employees and retirees in prior fiscal years; provided further, that the group insurance commission shall report quarterly to the house and senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the	
-----------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General Laws and as provided in section 8 of said chapter 32A and for the purposes of section 14 of said chapter 32A, the commonwealth's share of the group insurance premiums for state employees who have retired before July 1, 1994, shall be 90 per cent and the commonwealth's share of the group insurance premiums for state employees who have retired on or after July 1, 1994, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees hired on or before June 30, 2003 and their dependents shall be 80 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees hired after June 30, 2003 and their dependents shall be 75 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees who filed an application for retirement on or after August 7, 2009, and on or before October 1, 2009, for a retirement date not later than January 31, 2010, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premiums for active state employees who file an application for retirement after October 1, 2009, shall be 80 per cent until a different contribution rate is established under said section 8 of said chapter 32A; provided further, that the commission shall notify the house and senate committees on ways and means by April 1 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year; provided further, that the commission shall notify the house and senate committees on ways and means at least 90 days prior to any changes in coverage, benefits, or the schedule of copayments and deductibles for plans, offered by the group insurance commission; provided further, that the group insurance commission may pay premium and plan costs for municipal employees and retirees who are enrolled in the group insurance commission's health plans pursuant to the commission's regulations; provided further, that the group insurance commission shall report no later than December 1, 2011 to the house and senate committees on ways and means on the premiums of enrollees of municipalities participating in the group insurance commission for fiscal years 2010 and 2011; and provided further, that such report shall include the premium reimbursement paid by each municipality per active enrollee by plan, the average employee premium contribution by plan for each municipality, estimates for the total premium per active enrollee by plan for each municipality and a comparison of the total premium estimate with the sum total of municipality reimbursement and average employee premium contribution .....\$1,131,305,510

1108-5201

For the costs incurred by the group insurance commission associated with providing municipal health insurance coverage pursuant to section 19 of chapter 32B of the General Laws; provided, that the commission may expend revenues in an amount not to exceed \$1,028,612 from the revenue received from administrative fees associated with providing municipal health insurance coverage pursuant to said section 19 of said chapter 32B; and provided

	further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$1,028,612
1108-5350	For elderly governmental retired employee premium payments .....	\$340,000
1108-5400	For the costs of the retired municipal teachers' premiums and the audit of such premiums .....	\$64,386,762
1108-5500	For the costs, notwithstanding chapter 32A of the General Laws, of dental and vision benefits for those active employees of the commonwealth, not including employees of authorities and any other political subdivision, who are not otherwise provided those benefits pursuant to a separate appropriation or the terms of a contract or collective bargaining agreement; provided, that the employees shall pay 15 per cent of monthly premiums established by the commission for the benefits .....	\$9,104,973

#### **Division of Administrative Law Appeals.**

---

1110-1000	For the operation of the division of administrative law appeals, established by section 4H of chapter 7 of the General Laws; provided, that the division shall maintain, to the fullest extent practicable, a complete physical and technological separation from any agency, department, board, commission or program whose decisions, determinations or actions may be appealed to it; and provided further, that every decision issued by a commissioner or other head of agency, or designee, following the issuance of a recommended decision by an administrative law judge of the division, shall be an agency decision subject to judicial review pursuant to chapter 30A of the General Laws .....	\$1,077,076
-----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

#### **George Fingold Library.**

---

1120-4005	For the administration of the George Fingold Library .....	\$796,229
-----------	------------------------------------------------------------	-----------

#### **Department of Revenue.**

---

1201-0100	For the operation of the department of revenue, including tax collection administration, audits of certain foreign corporations and the division of local services; provided, that the department may allocate funds to the office of the attorney general for the purpose of the tax prosecution unit; provided further, that the department may charge the expenses for computer services, including the costs of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the department shall provide to the general court access to the municipal data bank; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent, on either a	
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

full-time or less than full-time basis beginning no earlier than December 1 and ending no later than November 30; and provided further, that seasonal positions funded by this account shall not be filled by an incumbent for more than 10 months within a 12-month period.....\$80,469,544

1201-0130 For the department of revenue which may expend for the operation of the department not more than \$23,940,257 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who are delinquent either in the filing of a tax return or the payment of a tax due and payable to the commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a prior fiscal year; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to, the following: (1) the amount of revenue produced from these additional auditors; and (2) the amount of revenue produced by this item in fiscal years 2008, 2009, 2010, and 2011 .....\$23,940,257

1201-0160 For child support enforcement; provided, that the department may allocate funds appropriated herein to the department of state police, the district courts, the probate and family courts, the district attorneys and other state agencies for the performance of certain child support enforcement activities, and those agencies may expend the funds for the purposes of this item; provided further, that all such allocations shall be reported quarterly to the house and senate committees on ways and means upon the allocation of the funds; provided further, that the federal receipts associated with the child support computer network shall be drawn down at the highest possible rate of reimbursement and deposited into a revolving account to be expended for the network; provided further, that federal receipts associated with child support enforcement grants shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the grant authority; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for federal incentives and said network in accounts 1201-0161, 1201-0410, and 1201-0412 .....\$33,676,820

1201-0164	For the child support enforcement division; provided, that the division may expend revenues in an amount not to exceed \$6,547,280 from the federal reimbursements awarded for personnel and lower subsidiary related expenditures; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system .....\$6,547,280
1231-1000	For the Commonwealth Sewer Rate Relief Fund, established in section 2Z of chapter 29 of the General Laws .....\$500,000
1232-0100	For underground storage tank reimbursements to parties that have remediated spills of petroleum products pursuant to chapter 21J of the General Laws; provided, that in the prioritization of claims, priority for payment of approved claims shall be given to claimants who own or formerly owned no more than 4, dispensing facilities .....\$13,000,000
1232-0200	For the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board established by section 8 of chapter 21J of the General Laws and for the administration of the underground storage tank program associated with the implementation of said chapter 21J; provided, that notwithstanding section 4 of said chapter 21J or any other general or special law to the contrary, appropriations made in this item shall be sufficient to cover the administrative expenses of the underground storage tank program; provided further, that the board shall submit to the house and senate committees on ways and means a semi annual report on the status of the underground storage program, including, but not limited to, the number of municipal grants made for the removal and replacement of underground storage tanks, the reimbursements for remediated petroleum spills, and the number of backlog claims; provided further, that the report shall detail how many tanks are out of compliance with said chapter 21J; and provided further, that the report shall be submitted not later than February 16, 2012 .....\$2,033,299
1233-2000	For the tax abatement program for certain veterans, widows, blind persons and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted under clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in determining eligibility of applicants under those clauses in an amount not to exceed \$2 per exemption granted; and provided further, that funds in this item shall be available for reimbursements to cities and towns for additional exemptions from the motor vehicle excise granted pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws .....\$25,301,475
1233-2350	For the distribution to cities and towns of the balance of the State Lottery Fund in accordance with clause (c) of the second paragraph

	of section 35 of chapter 10 of the General Laws, and additional aid to municipalities, as provided for in section 3 .....	\$833,980,293
1233-2400	For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws .....	\$26,270,000
1233-2401	For reimbursements to certain cities and towns for additional educational costs pursuant to chapter 40S of the General Laws; provided, that cities and towns eligible for reimbursements in fiscal year 2010 shall receive funding .....	\$363,699

### **Appellate Tax Board.**

---

1310-1000	For the operation of the appellate tax board; provided, that the board shall schedule hearings in Barnstable, Gardner, Lawrence, Milford, Northampton, Pittsfield, Springfield, Worcester and southeastern Massachusetts; and provided further, that the board shall report to the house and senate committees on ways and means not later than December 1, 2011, on the number of hearings held at each location .....	\$1,459,270
1310-1001	For the appellate tax board which may expend revenues up to a maximum of \$400,000 from fees collected; provided, that in order to accommodate discrepancies between the receipt of retained revenues and related expenditures, the board may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$400,000

### **Reserves.**

---

1599-0018	For a reserve to fund revenue maximization efforts that cannot be realized on a contingent basis; provided, that the secretary of administration and finance shall pursue these efforts in consultation with the state comptroller and other state agencies where appropriate; and provided further, that the secretary shall report to the house and senate committees on ways and means not later than March 5, 2012 which shall include, but not be limited to, revenue and savings generated through revenue maximization efforts, further opportunities for revenue maximization and savings, and areas originally identified for revenue maximization and savings which did not generate expected revenue or savings .....	\$750,000
1599-0024	For a reserve to be administered by the office of the comptroller to fund a competitive grant program for the purpose of funding auditors at agencies and departments that demonstrate: (a) a reduction in audit functions due to budget reductions; (b) a decrease in fraud and waste recoveries in the past 3 fiscal years; and (c) a plan for expenditure of audit funds and an estimate of recoveries greater than the award received; provided, that funds shall be awarded to state entities that are most likely to generate savings or revenue from enhanced auditing or program integrity greater than the award received; provided further, that grants shall be made on a one-time, non-recurring basis and the comptroller shall develop guidelines and an application process and award all grants no later than October 3,	

	2011; provided further, that funds from this item may be expended for additional child support enforcement personnel at the department of revenue; provided further, that agencies awarded grants shall report to the comptroller quarterly detailing their expenditures and recoveries made with grant resources; and provided further, that the comptroller shall report to the house and senate committees on ways and means no later than March 1, 2012 on the grant recipients, their audit outcomes and the effectiveness of the grant program .....	\$1,250,000
1599-0026	For a reserve for 1-time grants to support municipal improvements; provided, that no less than \$4,000,000 shall be transferred to the division of local services and shall be expended for a multi-year competitive grants program to provide financial support for one-time or transition costs related to regionalization and other efficiency initiatives, with allowable applicants to include municipalities, regional schools, school districts considering forming a regional school district or regionalizing services, regional planning agencies and councils of governments; provided further, that regional planning agencies may also serves as the administrative or fiscal agent on behalf of municipalities; provided further, that funds may be expended to reimburse municipal infrastructure improvements incurred in fiscal year 2011 and 2012; provided further, that \$2,000,000 shall be transferred to the executive office of public safety and security for a competitive grant program to be administered by the office; provided further, that the grants shall be awarded to communities that: (i) have a population of at least 65,000; and (ii) demonstrate that its police department had an operating budget per capita of less than \$200 in 2010; provided further, that \$1,000,000 shall be transferred to the department of elementary and secondary education to be distributed through a competitive grant program; provided further, that the competitive grant program shall include only those local education authorities whose chapter 70 aid in fiscal year 2012, as a percentage of foundation budget, is less than that local education authorities' target aid share for fiscal year 2012; provided further, that not less than \$2,000,000 shall be expended to fund the District Local Technical Assistance Fund, including projects that encourage regionalization, to be administered by the division of local services and distributed through the District Local Technical Assistance Fund, established in section 2XXX of chapter 29 of the General Laws; and provided further, that each state entity administering grant funds through this item shall report to the house and senate committees on ways and means no later than January 18, 2012 detailing grants awarded through this item and the criteria used for distribution .....	\$9,000,000
1599-0050	For Route 3 North contract assistance payments .....	\$5,409,158
	Commonwealth Transportation Fund.....	100%
1599-0093	For contract assistance to the water pollution abatement trust for debt service obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General Laws; prior appropriation continued .....	\$64,654,037
1599-1970	For a reserve for the Massachusetts Department of Transportation for the purpose of defraying costs of the Massachusetts Turnpike	



Authority, or its successor, incurred in fiscal year 2012 under section 138 of chapter 27 of the acts of 2009.....\$125,000,000

Commonwealth Transportation Fund..... 100%

1599-1977	For contract assistance and other payments to the Massachusetts Development Finance Agency for payment of debt service and related obligations in connection with bonds issued by the agency under chapter 293 of the acts of 2006 and chapter 303 of the acts of 2008 .....	\$2,165,500
1599-2009	For a reserve for Hale Hospital in the city of Haverhill .....	\$2,400,000
1599-3234	For the commonwealth's South Essex sewerage district debt service assessment .....	\$90,100
1599-3384	For a reserve for the payment of certain court judgments, settlements and legal fees, in accordance with regulations promulgated by the comptroller, which were ordered to be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report quarterly to the house and senate committees on ways and means on the amounts expended from this item .....	\$4,900,000
1599-3856	For rent and associated costs at the Massachusetts information technology center in Chelsea .....	\$600,000
1599-3857	For capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center in Fall River.....	\$1,581,922
1599-4417	For the Edward J. Collins, Jr. center for public management at the University of Massachusetts.....	\$496,518
1599-7104	For a reserve for the facilities costs associated with the college of visual and performing arts at the University of Massachusetts at Dartmouth; provided, that funds may be expended for Bristol Community College .....	\$2,700,000

#### **Division of Human Resources.**

---

1750-0100	For the operation of the human resources division and the costs of administration, training and customer support related to the commonwealth's human resources and compensation management system; provided, that the information technology division shall continue a chargeback system for its bureau of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall be responsible for the administration of examinations for state and municipal civil service titles, establishment of eligible lists, certification of eligible candidates to state and municipal appointing authorities and technical assistance in selection and appointment to state and municipal appointing authorities; provided further, that notwithstanding clause (n) of section 5 of chapter 31 of the General Laws, or any other general or special law to the contrary, the
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

secretary of administration and finance shall charge a fee of not less than \$50 to be collected from each applicant for a civil service examination; provided further, that the division shall administer a program of state employee unemployment management, including, but not limited to, agency training and assistance; provided further, that the division shall administer the statewide classification system, including, but not limited to, maintaining a classification pay plan for civil service titles within the commonwealth in accordance with generally accepted compensation standards and reviewing appeals for reclassification; provided further, that the secretary of administration and finance shall file with the house and senate committees on ways and means the amounts of any economic benefits necessary to fund any incremental cost items contained in any collective bargaining agreements with the various classified public employees' unions; provided further, that the nature and scope of economic proposals contained in those agreements shall include all fixed percentage or dollar-based salary adjustments, non-base payments or other forms of compensation and all supplemental fringe benefits resulting in any incremental costs; and provided further, that any employee of the commonwealth who chooses to participate in a bone marrow donor program shall be granted a leave of absence with pay to undergo the medical procedure and for associated physical recovery time, but this leave shall not exceed 5 days .....\$2,618,785

1750-0102 For the human resources division which may expend not more than \$2,056,966 from revenues collected from fees charged to applicants for civil service and non-civil service examinations and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions and the general public fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil service examination, notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; provided further, that the human resources division may also expend revenues collected for implementation of the health and physical fitness standards program established pursuant to sections 61A of said chapter 31 and the wellness program established pursuant to section 61B of said chapter 31 and those programs in chapter 32 of the General Laws; provided further, that the personnel administrator shall charge a fee of not less than \$50 to be collected from each applicant who participates in the physical ability test; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$2,056,966

1750-0119 For payment of workers' compensation benefits to certain former employees of Middlesex and Worcester counties; provided, that the division shall routinely recertify the former employees pursuant to current workers' compensation procedures .....\$52,057

1750-0300	For the commonwealth's contributions in fiscal year 2012 to health and welfare funds established pursuant to certain collective bargaining agreements; provided, that the contributions shall be calculated as provided in the applicable collective bargaining agreement and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis as the applicable collective bargaining agreement provides .....	\$26,950,000
-----------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

### **Operational Services Division.**

---

1775-0100	For the operation of the operational services division; provided, that the division shall expend funds for the purpose of achieving savings pursuant to this act; provided further, that notwithstanding any general or special law to the contrary, the operational services division, which under section 22N of chapter 7 of the General Laws is responsible for determining prices for programs under chapter 71B of the General Laws, shall set the prices in fiscal year 2012 by increasing the final fiscal year 2011 price by the rate of inflation as determined by the division; provided further, that the division shall also adjust prices for Extraordinary Relief, as defined in 808 CMR 1.06(4); provided further, that the department shall accept application for Program Reconstruction in fiscal year 2012; provided further, that upon the request of a program, the operational services division shall authorize a minimum price for the program to charge out-of-state purchasers; and provided further, that the division shall determine the minimum price for out-of-state purchasers by identifying the most recent price calculated for the program and applying the estimated rates of inflation which are established by December 1 of each year pursuant to section 22N of chapter 7 of the General Laws in a compounded manner for each fiscal year following the most recent calculated price .....	\$200,000
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

1775-0106	For the operation of an enhanced vendor auditing unit within the operational services division; provided, that the unit will use a risk analysis program to identify vendor areas at high risk of fraud, overbilling or unallowable expenses; provided further, that the risk analysis will use vendor filed uniform financial reports, contracts with state entities and MMARS billing records; provided further, that in determining risk, the unit shall consider: (1) failure to file in a timely manner annual uniform financial reports and required private audits; (2) related-party transactions; (3) use of management companies; (4) amounts of billed expenditures on credit cards; (5) expenditures for non-program expenses such as travel, meals and vehicles; and (6) referrals or complaints from other state agencies, public officials and consumers; provided further, that the unit shall conduct field audits as necessary to determine evidence of fraud, overbilling or unallowable expenses; provided further, that the unit shall develop a recovery plan to recoup all funds received by a vendor due to fraud, overbilling or unallowable expenses and shall be responsible for recovering said funds; provided further, that any recovery plan that provides for less than the full restitution of misspent funds shall not be implemented without the approval of the secretary of administration and finance; provided further, that all funds recovered shall be deposited in the General Fund; provided further, that audits which indicate criminal fraud shall be referred to the office of the attorney general for investigation; and provided further, that the unit	
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

	shall file a report to the executive office of administration and finance and the house and senate committees on ways and means no later than March 7, 2012 on the activities of the unit including number of audits conducted, number of vendors audited, number of vendors demonstrating the risk factors listed in this item, funds identified for recoupment, funds recouped, any reasons why identified funds were not recouped and details of recovery plans that required the approval of the secretary of administration and finance .....	\$475,000
1775-0115	For the operational services division; provided, that the division may expend for the purpose of procuring, managing and administering statewide contracts an amount not to exceed \$2,989,876 from revenue collected from the statewide contract administrative fee; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel .....	\$2,989,876
1775-0124	For the operational services division; provided, that the division may expend an amount not to exceed \$500,000 from revenue collected in the recovery of cost-reimbursement and non-reimbursable over billing and recoupment for health and human service agencies and as a result of administrative reviews, as determined during the divisions' audits and reviews of providers pursuant to section 22N of chapter 7 of the General Laws; provided further, that the division may only retain revenues collected in excess of \$207,350; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....	\$500,000
1775-0200	For the operation and administration of the supplier diversity office; provided, that the office shall provide training and other services to supplier diversity office certified minority- and women-owned businesses, which allows them to better compete for state contracts and also ensures that equitable practices and policies in the public marketplace are maintained; provided further, that the office shall administer an electronic business certification application which shall be accessible to business applicants through use of the internet; provided further, that the office shall ensure the integrity and security of personal and financial information transmitted by electronic application; provided further, that the office shall, using all existing available resources, provide certification services to all supplier diversity office qualified applicants, throughout the commonwealth and beyond, whichever is applicable; and provided further, that the office shall develop and implement measures and procedures to continue to improve the efficiency and the timeliness of the certification process .....	\$546,768

- 1775-0600 For the operational services division; provided, that the division may expend not more than \$750,000 in revenues from the sale of state surplus personal property and the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements for the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property and the purchase of motor vehicles; provided further, that the division shall evaluate the use of technology, the internet and online auctions to enhance the sales of surplus vehicles and submit a report of its findings to the house and senate committees on ways and means and the house and senate committees on post audit and oversight on or before October 3, 2011; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel.....\$750,000
- 1775-0700 For the operational services division; provided, that the division may expend not more than \$53,000 in revenues collected in addition to the amount authorized in item 1775-1000 of section 2B for printing, photocopying, related graphic art or design work and other reprographic goods and services provided to the general public, including all necessary incidental expenses; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$53,000
- 1775-0900 For the operational services division; provided, that the division may expend not more than \$55,000 in revenues collected under chapter 449 of the acts of 1984 and section 4L of chapter 7 of the General Laws, including the costs of personnel, from the sale of federal surplus property, including the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of federal surplus property; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$55,000

### **Information Technology Division.**

---

- 1790-0100 For the operation of the information technology division; provided, that the division shall operate the geographic information system pursuant to subsection (d) of section 4B of chapter 21A of the General Laws; provided further, that the division shall continue a chargeback system for its bureau of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall

develop a formula to determine the cost that will be charged to each agency for its use of the human resources and compensation management system; provided further, that the division may coordinate with any state agency or state authority which administers a grant program to develop a statewide grant information page on the commonwealth's official website, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the division shall continue conducting audits and surveys to identify and realize savings in the acquisition and maintenance of communications lines; provided further, that the chief information officer shall file a status report with the house and senate committees on ways and means by May 31, 2012, with actual and projected savings and expenditures for the audits in the fiscal year ending June 30, 2012; provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item; provided further, that any planned information technology development project or purchase by any agency under the authority of the governor for which the total projected cost exceeds \$200,000, including the cost of any related hardware, software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed and approved by the chief information officer before such agency may obligate funds for the project or purchase; provided further, that the chief information officer may establish rules and procedures necessary to implement this item; and provided further, that the division shall file a report with the secretary of administration and finance and the house and senate committees on ways and means not later than December 15, 2011, that shall include, but not be limited to, the following: (a) financial statements detailing savings realized from the consolidation of information technology services within each executive office; (b) the number of personnel assigned to the information technology services within each executive office; and (c) efficiencies that have been achieved from the sharing of resources .....\$3,259,613

1790-0151 For the division of information technology which may expend an amount not to exceed \$55,000 from fees charged to entities other than political subdivisions of the commonwealth for the distribution of digital cartographic and other data .....\$55,000

1790-0300 For the information technology division which may expend not more than \$554,730 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system .....\$554,730

---

**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.**

---

## Office of the Secretary.

---

2000-0100	For the operation of the office of the secretary of energy and environmental affairs, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws and the mosquito-borne disease vector control chapter program; provided, that the executive office shall expend not less than \$150,000 for a program of collaborative research with academic institutions that apply satellite and other technologies in an innovative manner to an existing methodological model previously used in other fisheries to assess the biomass of groundfish in the region managed by the New England Fishery Management Council; provided further, that the executive office shall execute a memorandum of agreement with any such academic institution not later than 30 days after the effective date of this act; and provided further, that the memorandum shall require the timely production of information for use in the fisheries management process .....	\$5,695,430
2000-1011	For the office of environmental law enforcement which may expend revenues in an amount not to exceed \$85,000 from the administrative handling charge revenues received from electronic transactions processed through its online licensing and registration systems; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the office of environmental law enforcement may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....	\$85,000
2000-1700	For the operation of information technology services within the executive office of energy and environmental affairs .....	\$7,482,556
2030-1000	For the operation of the office of environmental law enforcement; provided, that officers shall provide monitoring pursuant to the National Shellfish Sanitation Program; and provided further, that funds from this item shall not be expended for the purposes of item 2030-1004 .....	\$7,973,112
2030-1004	For environmental police private details; provided, that the office may expend revenues of up to \$300,000 collected from the fees charged for private details; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$300,000

## Department of Public Utilities.

---

2100-0012	For the operation of the department of public utilities; provided, that notwithstanding the second sentence of the first paragraph of section	
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------	--

	18 of chapter 25 of the General Laws to the contrary, the assessments levied for fiscal year 2012 under said first paragraph shall be made at a rate sufficient to produce the amount expended from this item as well as the associated fringe benefits costs for personnel paid from this item .....	\$7,611,781
2100-0013	For the operation of the transportation division .....	\$375,051
2100-0014	For the department of public utilities which may expend for the operation of the energy facilities siting board an amount not to exceed \$50,000 from application fees collected in fiscal year 2012 and prior fiscal years from utility companies .....	\$50,000
2100-0015	For the department of public utilities which may expend for the operation of the transportation division an amount not to exceed \$2,300,000 from unified carrier registration fees collected in fiscal year 2012 and prior fiscal years from motor carrier companies .....	\$2,300,000
2100-0016	For the department of public utilities to regulate steam distribution companies; provided, that notwithstanding section 18A of chapter 25 of the General Laws to the contrary, the assessments levied for fiscal year 2012 shall be made at a rate sufficient to produce the amount expended from this item and the associated fringe benefits costs for personnel paid from this item .....	\$300,000

#### **Department of Environmental Protection.**

---

2200-0100	For the operation of the department of environmental protection, including the environmental strike force, the bureau of policy and planning, the bureau of resource protection, the bureau of waste prevention, the Senator William X. Wall experimental station, and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws .....	\$24,682,305
2200-0102	For the department of environmental protection which may expend an amount not to exceed \$260,812 from revenues collected from fees for wetland permits; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....	\$260,812
2200-0107	For technical assistance, grants, and support of efforts consistent with the Massachusetts recycling and solid waste master plan and climate protection plan; provided, that funds may be expended for a recycling industry reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997 .....	\$275,000
2210-0105	For the department of environmental protection which may expend for the administration and implementation of the Massachusetts Toxics Use Reduction Act under chapter 21I of the General Laws an amount not to exceed \$3,052,627 from the revenue collected from	



fees, penalties, grants and tuition under said chapter 21I; provided, that not less than \$1,629,860 from this item shall be made available for the operation of the Toxics Use Reduction Institute program at the University of Massachusetts at Lowell; provided further, that the department shall enter into an interagency service agreement with the University of Massachusetts to make such funding available for this purpose; provided further, that not less than \$644,096 from this item shall be made available for toxics use reduction technical assistance and technology in accordance with said chapter 21I; provided further, that the department shall submit a report to the house and senate committees on ways and means not later than February 1, 2011 detailing the status of the department's progress in meeting the statutory and regulatory deadlines associated with said chapter 21I and detailing the number of full-time equivalent positions assigned to various implementation requirements of said chapter 21I; provided further, that the department shall enter into an interagency service agreement with the executive office of energy and environmental affairs to make such funding available for this purpose; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$3,052,627

2220-2220	For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto-related state implementation program, the low emission vehicle program, the non-auto-related state implementation program and the commonwealth's commitments under the New England Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and mercury emissions .....\$798,593
2220-2221	For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act .....\$1,667,239
2250-2000	For the purpose of state implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws .....\$1,264,499
2260-8870	For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding section 4 of chapter 21J of the General Laws .....\$11,973,797
2260-8872	For the brownfields site audit program .....\$1,020,002
2260-8875	For the development of a wastewater build-out and cost analysis for the Cape Cod region .....\$150,000
2260-8881	For the operation of the board of registration of hazardous waste site cleanup professionals, notwithstanding section 19A of chapter 21A of the General Laws .....\$345,475

---

**Department of Fish and Game.**

2300-0100	For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the division of ecological restoration and riverways program and all other programs under the control of the department of fish and game; provided further, that the purpose of those assessments shall be to cover appropriate administrative costs of the department, including but not limited to payroll, personnel, legal and budgetary costs; and provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game .....	\$658,880
2300-0101	For a division of ecological restoration and riverways protection program, for the promotion of public access to rivers and wetland restoration, including grants to public and nonpublic entities; provided, that the positions funded in this item shall not be subject to chapter 31 of the General Laws .....	\$416,974
2310-0200	For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, fish and wildlife restoration projects, the commonwealth's share of certain cooperative fisheries and wildlife programs and for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided, that funds from this item shall be made available to the University of Massachusetts Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the amount received in fiscal year 2011 for such research; provided further, that the department may expend the amount necessary to restore anadromous fish in the Connecticut and Merrimack river systems; and provided further, that expenditures for such programs shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount so expended .....	\$9,985,455
	Inland Fisheries and Game Fund.....	100%
2310-0300	For the operation of the natural heritage and endangered species program .....	\$150,000
2310-0306	For the hunter safety training program .....	\$406,510
	Inland Fisheries and Game Fund.....	100%
2310-0316	For the purchase of land containing wildlife habitat and for the costs of the division of fisheries and wildlife directly related to the administration of the wildlands stamp program pursuant to sections 2A and 2C of chapter 131 of the General Laws; provided, that funds shall not be expended from this item in the AA object class for the compensation of state employees assigned to any item.....	\$1,000,000
	Inland Fisheries and Game Fund.....	100%
2310-0317	For the waterfowl management program established pursuant to section 11 of chapter 131 of the General Laws.....	\$65,000

	Inland Fisheries and Game Fund.....	100%
2320-0100	For the administration of the public access board, including the maintenance, operation, and improvements of public access land and water areas; provided, that positions funded in this item shall not be subject to chapter 31 of the General Laws .....	\$429,160
2330-0100	For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that the division shall continue to develop strategies to improve federal regulations governing the commercial fishing industry to promote sustainable fisheries; provided further, that \$400,000 shall be spent for the operation of the Newburyport shellfish purification plant; provided further, that the commissioner shall develop a feasible plant management plan to reduce, to the maximum extent possible, the amount by which the cost of operating the plant exceeds the revenue it generates, and the plan shall include, but not be limited to, the following: (i) enabling the shellfish purification plant to accept for treatment those shellfish harvested by valid permit holders from waters not meeting the requirements for open status for acceptable water quality as a result of heavy rainfall pursuant to the National Shellfish Sanitation Program Guide For The Control Of Molluscan Shellfish; (ii) allowing the division to perform additional testing on permanently closed areas to ascertain the possibility of opening those areas as clean areas, with special consideration given to areas 2 and 3 north of Boston, or to developing regulations to permit the acceptance of shellfish harvested from those areas or other moderately contaminated areas for purification at the plant; (iii) reviewing the plant hours of operation and making adjustments to better accommodate tide schedules and weekend harvesting and increasing plant processing volume; (iv) capturing opportunities for the use of the plant for shellfish not requiring purification, but for which additional cleansing, including from sand particulates, creates increased market value and increases the utilization of the plant and its revenues; and provided further, that the plan shall be submitted to the house and senate ways and means committees on or before February 15, 2012 .....	\$4,355,647
2330-0120	For the division of marine fisheries for a program of enhancement and development of marine recreational fishing and related programs and activities, including the cost of equipment, maintenance, staff and the maintenance and updating of data .....	\$515,754
2330-0121	For the division of marine fisheries to utilize reimbursable federal sportfish restoration funds to further develop marine recreational fishing and related programs, including the costs of activities that increase public access for marine recreational fishing, support research on artificial reefs and otherwise provide for the development of marine recreational fishing; provided, that the	

division of marine fisheries may expend not more than \$204,989 in revenues collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing .....\$204,989

2330-0150 For the operation and maintenance of the Newburyport shellfish purification plant; provided, that the division of marine fisheries may expend not more than \$100,000 from revenue collected from fees generated by operations; provided further, that the division shall submit a report detailing the revenues collected and expended and shellfish volume increase realized from the acceptance of shellfish from rainfall closures to the executive office of environmental affairs, the executive office for administration and finance and the house and senate committee on ways and means by June 30, 2012; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division of marine fisheries may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$100,000

2330-0300 For the administration and operation of the saltwater fishing permit program, in accordance with chapter 161 of the acts of 2009 .....\$491,761

Marine Recreational Fisheries Development Fund..... 100%

#### **Department of Agricultural Resources.**

2511-0100 For the operation of the department of agricultural resources, including the division of administration, the integrated pest management program, the board of agriculture, the division of agricultural development, the division of animal health, the division of agricultural technical assistance, the division of crop and pest services, including a program of laboratory services at the University of Massachusetts Amherst, the expenses of the pesticide board and other responsibilities associated with the promotion and development of the commonwealth's primary industries including agriculture, forestry and fisheries; provided, that no less than \$200,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; and provided further, that funds may be expended for the statewide 4-H program.....\$4,300,108

2511-0105 For the purchase of supplemental foods for the emergency food assistance program within the Feeding America nationally-certified food bank system of Massachusetts; provided, that the funds appropriated herein shall reflect the Feeding America allocation formula in order to benefit the 4 regional food banks in the commonwealth; and provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation herein.....\$11,500,000

2511-3002 For the integrated pest management program.....\$47,560

#### **Department of Conservation and Recreation.**

2800-0100	<p>For the operation of the department of conservation and recreation; provided, that said department shall enter into an interagency service agreement with the department of state police to provide police coverage on department of conservation and recreation properties and parkways; provided further, that the department of state police shall reimburse said department of conservation and recreation for costs incurred by said department including, but not limited to, vehicle maintenance and repairs, the operation of department of state police buildings and other related costs; provided further, that notwithstanding any general or special law to the contrary, all offices and positions of the division performing construction activities for the department of conservation and recreation shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees, licenses, permits, rents and leases, and adjust or develop other revenue sources to fund the maintenance, operation and administration of the department; provided further, that an annual report shall be submitted to the house and senate committees on ways and means regarding fee adjustments not later than February 15, 2012; provided further, that funds shall be expended for the cleanup of Pilayella algae; provided further, that no funds shall be expended from this item for personnel overtime costs; provided further, that the department shall file a report with the secretary of administration and finance, the chairs of the house and senate committee on ways and means, the chairs of the joint committee on environment, natural resources and agriculture on or before April 30, 2012, detailing a plan for a long term funding solution for issues pertaining to repairs and maintenance of seawalls throughout the commonwealth; and provider further, that the report shall include, but not be limited too, the feasibility of a revolving loan program and utilization of seaport bonds .....</p>	\$3,308,980
2800-0101	<p>For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department and the office of water resources in the department of conservation and recreation; provided, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under the General Laws; provided further, that the department shall continue to make payments pursuant to chapter 616 of the acts of 1957, as amended by section 89 of chapter 801 of the acts of 1963; and provided further, that the department shall continue to make payments pursuant to chapter 307 of the acts of 1987 for the use of certain land .....</p>	\$1,002,565
2800-0401	<p>For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that the department shall implement a stormwater management program in compliance with federal and state stormwater management requirements; provided further, that the department shall inventory all stormwater infrastructure, assess its stormwater practices, analyze long term capital and operational needs and develop a stormwater management plan to comply with federal and state regulatory</p>	

requirements; and provided further, that in order to protect public safety and to protect water resources for water supply, recreational and ecosystem uses, the department shall immediately implement interim stormwater management practices including, but not limited to, street sweeping, inspection and cleaning of catch basins and emergency repairs to roadway drainage .....\$391,237

2800-0501 For the operation of the beaches, pools and spray pools under the control of the department of conservation and recreation; provided, that the seasonal hires of the department of conservation and recreation's parks, beaches, pools and spray pools be paid from this item; provided further, that all beaches, pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches, pools and spray pools shall be fully maintained; provided further, that no funds from this item shall be expended for year-round seasonal employees; provided further, that seasonal employees who are hired before the second Sunday before Memorial Day and whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2011 shall continue to receive such benefits in fiscal year 2012 during the period of their seasonal employment; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; provided further, that no expenditures shall be made from this item other than for the purposes identified in this item; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period .....\$11,611,671

2800-0700 For the office of dam safety; provided, that the department shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams, and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public safety; provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 16, 2011, that shall include, but not be limited to, the following: (a) the number of staff that are assigned from this item and their job title; (b) the number of dam inspections that are scheduled for fiscal year 2012; and (c) the number of dams that are in need of repair or replacement; provided further, that the department shall file a report with the secretary of administration and finance, the chairs of the house and senate committee on ways and means, the chairs of the joint committee on environment, natural resources and agriculture on or before April 30, 2012, detailing a plan for a long term funding solution for issues pertaining to repairs and maintenance of dams throughout the commonwealth; and provider further, that the report shall include, but not be limited too, the feasibility of a revolving loan program and utilization of seaport bonds .....\$290,151

2810-0100	<p>For the operation of the department's state and urban parks; provided, that funds appropriated in this item shall be used: (i) to operate all of the division of state parks and recreation's parks, parkways, boulevards, roadways, bridges, and related appurtenances under the care, custody and control of the division, flood control activities of the division, reservations, campgrounds, beaches and pools; (ii) for the oversight of rinks; and (iii) to protect and manage the division's lands and natural resources, including the forest and parks conservation services and the bureau of forestry development; provided further, that the same properties shall be open in fiscal year 2012 as were open on July 1, 2010; provided further, that the crossing guards located at department of conservation and recreation intersections shall continue to perform the duties where state police previously performed such duties; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the rinks under the control of the department shall remain open and staffed for the full rink season; provided further, that the department may issue grants to public and nonpublic entities from this item; and provided further, that funds may be expended for the purposes of item 2800-9004 of section 2 of chapter 182 of the acts of 2008 .....</p>	\$42,173,702
2810-2041	<p>For the division of state parks and recreation which may expend not more than \$5,229,030 from revenue collected from fees charged by the division, including revenues collected from campsite reservation transactions from the automated campground reservation and registration program for additional expenses, upkeep and improvements to the parks and recreation system and for the personnel costs of seasonal employees; provided, that no funds from this item shall be expended for the costs of full-time equivalent personnel; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that no expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the amount of revenues projected by the first quarterly statement required by section 1B; provided further, that the comptroller shall notify the house and senate committees on ways and means at the time subsequent quarterly statements are published of the variance between actual and projected receipts in each such quarter and the implications of that variance for expenditures made; and provided further, that the division may issue grants to public and nonpublic entities from this item .....</p>	\$5,229,030
2820-0101	<p>For the costs associated with the department's urban park rangers specific to the security of the state house; provided, that funds appropriated in this item shall only be expended for the costs of security and urban park rangers at the state house .....</p>	\$1,327,967
2820-1000	<p>For the division of state parks and recreation which may expend not more than \$200,000 from revenue collected pursuant to section 34B of chapter 92 of the General Laws .....</p>	\$200,000

2820-1001	For the division of state parks and recreation which may expend not more than \$50,000 from revenue collected for the operation and maintenance of the division's telecommunications system from revenues received from the Massachusetts Water Resources Authority, the Massachusetts Convention Center Authority, the division of highways, the Central Artery/Ted Williams Tunnel Project, the department of state police and quasi-public and private entities through a system of user fees and other charges established by the commissioner of conservation and recreation; provided, that nothing in this item shall impair or diminish the rights of access and utilization of all current users of the system under agreements previously entered into; and provided further, that this item may be reimbursed by political subdivisions of the commonwealth and private entities for direct and indirect costs expended by the division to maintain the telecommunications system .....	\$50,000
2820-2000	For the operation of street lighting and the expenses of maintaining the parkways of the department of conservation and recreation; provided, that the department of conservation and recreation shall take all measures to further ensure that said department's street lighting efforts are efficient and cost effective; and provided further, that said department shall implement a plan to achieve efficiencies and reduce lighting costs .....	\$3,000,000
2820-3001	For the division of state parks and recreation which may expend not more than \$1,000,000 from revenue collected from skating rink fees and rentals for the operation and maintenance, including personnel costs, of 4 rinks between September 1, 2011 and April 30, 2012, for an extended rink season; provided, that when assigning time for the use of its rinks, the division shall give priority to those which qualify under applicable state and federal law as nonprofit organizations or as a public school .....	\$1,000,000
2820-4420	For the operation and maintenance of the Ponkapoag golf course; provided, that the division of state parks and recreation may expend not more than \$1,098,011 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30 .....	\$1,098,011
2820-4421	For the operation and maintenance of the Leo J. Martin golf course; provided, that the division of state parks and recreation may expend not more than \$824,790 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate	



as reported in the state accounting system; and provided further, notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30 .....\$824,790

## **Department of Energy Resources.**

---

7006-1001	For the residential conservation service program under chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 11A of chapter 25A of the General Laws; provided, that the assessments levied for fiscal year 2012 pursuant to chapter 465 of the acts of 1980 shall be made at a rate sufficient to produce the amount expended from this item as well as the associated fringe benefit costs for personnel paid from this item .....\$203,112
7006-1003	For the operation of the department of energy resources; provided, that notwithstanding any general or special law to the contrary, the amount assessed under section 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item as well as the associated fringe benefit costs for personnel paid from this item .....\$3,005,424

## **Department of Early Education and Care.**

---

3000-1000	For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided, that the department shall report on the first business day of each month to the joint committee on education, the joint committee on children, families and persons with disabilities, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting, and policy development purposes; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded by the department by category of eligibility, including children who have been the subject of supported 51A cases, children referred by or transitioning from the department of children and families and children of income-eligible families; provided further, that said reports shall include the number of recipients subject to subsection (f) of section 110 of chapter 5 of the acts of 1995; provided further, that
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

the department shall issue a report by February 15, 2012 detailing the feasibility of centralizing the following responsibilities provided through item 3000-2000 in fiscal year 2011 with the department: program coordination and support, voucher management, outreach to hard-to-reach populations, intake and eligibility services for families seeking financial assistance to enroll in early education and care programs, resource and referral for families with disabilities in child care programs, and walk-in services for homeless families; provided further, that the department of early education and care shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; and provided further, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements .....\$11,683,491

3000-2000 For regional administration and coordination of services provided by child care resource and referral agencies; provided, that funding for activities shall include, but not be limited to, administrative costs of these agencies, program coordination and support, voucher management, outreach to hard-to-reach populations, intake and eligibility services for families seeking financial assistance to enroll in early education and care programs, resource and referral for families with disabilities in child care programs and walk-in services for homeless families .....\$5,933,862

3000-2050 For the administration of the Children's Trust Fund; provided, that the department shall not exercise any supervision or control with respect to the board of the trust fund .....\$1,026,106

3000-3050 For supportive early education and care services; provided, that funds from this item shall only be expended for early education and care costs of children with active cases at the department of children and families; provided further, that the department of early education and care, in collaboration with the department of children and families, shall maintain a centralized list detailing the number of children eligible for services in this item, the number of supportive slots filled, and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that funds may be used to provide services during a transition period of 6 months for families upon the closure of their case; provided further, that all children eligible for services under this item shall receive those services; provided further, that if the department determines that available appropriations for this program will be insufficient to meet projected expenses, the commissioner shall file with the house and senate committees on ways and means and the secretary of administration and finance, a report detailing the amount of appropriation needed to address such deficiency; and provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000, 3000-4050 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 30 days before the transfer.....\$77,448,576

3000-4050 For financial assistance for families currently involved with or transitioning from transitional aid to families with dependent children

to enroll in an early education and care program; provided, that early education and care shall be available to former participants who are working for up to 1 year after termination of their benefits; provided further, that post-transitional early education and care benefits shall be provided to participants who are working for up to 1 year after the transitional period; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded from this item and item 3000-3050; provided further, that the department may provide early education and care benefits to parents who are under 18 years of age, who are currently enrolled in a job training program, and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income; provided further, that all teens eligible for year-round, full-time early education and care services shall be participating in school, education, work and training-related activities or a combination thereof for at least the minimum number of hours required by regulations; provided further, that recipients shall not be charged fees for care provided under this item; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that informal early education and care benefits may be funded from this item; provided further, that not more than \$2 per child per hour shall be paid for the services; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; and provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2012 .....\$132,458,313

3000-4060

For income-eligible early education and care programs; provided, that teen parents at risk of becoming eligible for transitional aid to families with dependent children may be paid from this item; provided further, that informal early education and care benefits for families meeting income-eligibility criteria may be funded from this item; provided further, that not more than \$2 per child per hour shall be paid for the services; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that the department may expend funds from this item on grants to support inclusive learning environments; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4050, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2012; provided further, that said plan shall be filed with the house and senate chairs of the joint committee on education, the chairs of the house and senate committees on ways and means, and the secretary of administration and finance; and provided further, that

	any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary .....	\$232,897,940
3000-5000	For grants to head start programs; provided, that funds from this item may be expended on early head start programs .....	\$7,500,000
3000-5075	For the Massachusetts Universal Pre-Kindergarten Program; provided, that funds from this item shall be expended on grants to improve the quality of and expand access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible; provided further, that in awarding grant funds under this program, preference shall be given to establishing preschool classrooms in towns and cities with schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations, schools or districts with a high percentage of students scoring in levels 1 and 2 on the MCAS exams or programs which serve children not less than 50 per cent of whom are from families earning at or below 85 per cent of the state median income; provided further, that funds may also be used to enhance community-wide capacity building efforts within statewide parameters established by the board; provided further, that any newly-funded programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall have been accredited by the National Association for the Education of Young Children, the New England Association of Schools and Colleges, the National Association of Family Child Care or a Child Development Associate credential or higher; provided further, that programs receiving grant funds may use the funds to enhance teacher and staff quality and compensation, enhance program ability to interpret and use assessment data effectively, enhance developmentally-appropriate practices, incorporate ancillary services into the program, facilitate or provide access to wrap-around services for working families or to increase capacity to expand access to age-eligible children on the centralized waitlist maintained by the department; provided further, that preference shall be given in awarding grants to those programs which demonstrate affordability for middle class and working class parents according to standards to be developed by the department; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town or regional school district and held as a separate account and shall be expended by the school committee of such city, town or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary.....	\$7,500,000
3000-6075	For early childhood mental health consultation services in early education and care programs in the commonwealth; provided, that preference shall be given to those services designed to limit the	

	number of expulsions and suspensions from said programs; and provided further, that eligible recipients for such grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, child care resource and referral centers and other qualified entities.....	\$750,000
3000-7000	For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children's Trust Fund; provided, that the department shall collaborate with the Children's Trust Fund, whenever appropriate, to coordinate services provided through this item with services provided through item 3000-7050 in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department; provided further, that such services shall be made available statewide to parents under the age of 21 years; and provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents .....	\$10,463,346
3000-7050	For the coordinated family and community engagement grant program, which shall establish a statewide network of supports for early education; provided, that the department shall distribute the grants no later than August 31, 2011, in order to allow a full year of service for families involved in these programs; provided further, that supports funded through this item shall include, but not be limited to, curriculum development, child assessment systems, activities that encourage providers to obtain associate and bachelor degrees, payment of fees and direct assistance to programs seeking accreditation by agencies approved by the board, and professional development courses; provided further, that eligible recipients for such grants shall include, but not be limited to, community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, school readiness and family support programs, licensed child care providers, and child care resource and referral centers; provided further, that supports funded through this item shall be in alignment with the quality requirements of the Massachusetts Universal Pre-Kindergarten Program and the development of the quality rating and improvement system; provided further, that the department shall encourage and support early childhood education and care providers to obtain associate and bachelor degrees through professional development programs, including, but not limited to, the building careers program model; provided further, that the department shall take steps to streamline activities and programs funded through this line item; provided further, that funds shall be expended for the home-based parenting, family literacy, and school readiness program known as the parent-child home program; provided further, that funds may be expended for the Mass Family Networks; and provided further, that the department may expend funds from the item on grants for supplemental services for children with individualized education .....	\$18,186,633
3000-7070	For Reach Out and Read, a research-proven, pediatric literacy intervention program, which trains doctors and nurse practitioners to provide advice to parents on reading aloud to children and books for	

children living in poverty and in underperforming school districts through programs established in community health centers, medical practices and hospitals; provided, that the funds distributed through Reach Out and Read shall be contingent upon a match of not less than \$1 in private or corporate contributions for every \$1 in state grant funding; and provided further, that Reach Out and Read shall issue a report to the department, house and senate committees on ways and means and the joint committee on education, no later than February 15, 2012, detailing program success in meeting measurable goals and benchmarks .....\$800,000

---

## EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

---

### Office of the Secretary.

---

4000-0050	For the operation of the personal care attendant quality workforce council established under section 29 of chapter 118G of the General Laws .....	\$167,708
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------	-----------

4000-0300	<p>For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the Executive Office of Health and Human Services and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that expenditures for the purposes of each item appropriated for programs authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts management accounting and reporting system not more than 10</p>	
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

days after the expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved under section 1115(a) of said Social Security Act or the community first section 1115 demonstration waiver, whether made by the executive office or another commonwealth entity, except as specifically authorized herein, or unless made for cost containment efforts, the purposes and amounts of which have been submitted to the executive office of administration and finance and the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under chapter 118E of the General Laws for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means no later than September 1, 2011, providing a detailed analysis of savings to be achieved in fiscal year 2012; provided further, that this report shall include, but not be limited to, savings from provider rate cuts, reprocurement of contracts and changes to MassHealth benefits; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means no later than February 1, 2012 on savings achieved in the MassHealth program for the first half of fiscal year 2012; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or 4000-1405 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; provided further, that said reports shall include an explanation of said deficiencies, including but not limited to updated utilization and caseload information, as well as initiatives that did not generate expected savings; provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements; provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2012; provided further, that the secretary

	of health and human services shall report annually to the house and senate committees on ways and means on the percentage of MassHealth recipients receiving dental care in emergency rooms, community health centers or dentists offices, and the number and types of procedures performed; and provided further, that MassHealth shall notify the house and senate committees on ways and means not less than 90 days in advance of any change in rates paid to providers of adult day habilitation, adult day health, adult foster care, and group adult foster care services .....	\$83,484,473
4000-0301	For the costs of MassHealth provider and member audit and utilization review activities including, but not limited to, eligibility verification, disability evaluations, provider financial and clinical audits, and initiatives intended to enhance program integrity .....	\$1,736,425
4000-0309	For the expansion of auditing activities in MassHealth, including, but not limited to field audits of high risk services; provided, that no expenditures shall be made from this item that are not federally reimbursable; provided further, that notwithstanding any general or special law to the contrary, the state Medicaid office is hereby authorized to conduct a trial to determine the effectiveness of various fraud management tools to identify potential fraud at claims submission and validation in order to reduce Medicaid fraud prior to payment; provided further, that the state Medicaid office may employ strategies to improve systems for detection and may allow for the use of external data sources; provided further, that any such trial may test innovative technologies to improve Medicaid fraud detection and evaluate the efficacy of, among other things, a real-time model to identify and investigate potential Medicaid fraud cases prior to payment; provided further, that the Medicaid office may use actual claims data, in accordance with federal law, to identify specific suspicious provider billing patterns, document the results of any potential fraud findings and estimate anticipated savings and benefits to the commonwealth associated with such a fraud detection system; provided further, that the executive office of health and human services shall submit 2 reports to the house and senate committees on ways and means detailing recoveries and offsets generated by said audits; and provided further, that the first report shall be delivered no later than January 16, 2012 and that the second report shall be delivered no later than June 15, 2012.....	\$1,000,000
4000-0320	For the executive office of health and human services which may expend for medical care and assistance rendered in the current year an amount not to exceed \$225,000,000 from the monies received from recoveries and collections of any current or prior year expenditures; provided, that notwithstanding any general or special law to the contrary, the balance of any personal needs accounts collected from nursing and other medical institutions upon a medical assistance member's death and held by the executive office for more than 3 years may be credited to this item; and provided further, that no funds from this item shall be used for the purposes of item 4000-0300 .....	\$225,000,000
4000-0430	For the CommonHealth program to provide primary and supplemental medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the	



General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursement for state expenditures made on behalf of such adults and children; provided further, that children shall be determined eligible for the medical care and assistance if they meet the disability standards as defined by the executive office, which shall be no more restrictive than the standards in effect on July 1, 1996; and provided further, that the executive office shall process CommonHealth applications within 45 days of receipt of a completed application or within 90 days if a determination of disability is required.....\$130,439,637

4000-0500 For health care services provided to medical assistance recipients under the executive office's primary care clinician/mental health and substance abuse plan or through a health maintenance organization under contract with the executive office and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that the executive office shall maintain the fiscal year 2011 overall reimbursement rate for the commonwealth's only medical respite program for the homeless; provided further, that expenditures from this item shall be made only for the purposes expressly stated herein; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that funds shall be expended from this item or item 4000-0700, if necessary, to achieve maximum federal financial participation, to enhance the ability of hospitals, community health centers and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that these funds may be allocated using the standards used in fiscal year 2010; provided further, that these funds shall be disbursed not later than April 1, 2012; provided further, that funds may be expended from this item or item 4000-0700, if necessary, to enhance the ability of hospitals to address emergency room capacity issues due to individuals with mental illness who are awaiting placement in an acute care bed; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; and provided further, that for purposes of long-term health care cost savings and enhanced patient care, the commonwealth may recognize telehealth remote patient monitoring provided by home health agencies as a service to clients otherwise reimbursable through Medicaid .....\$3,879,010,669

4000-0600 For health care services provided to MassHealth members who are seniors and for the operation of the senior care options program under section 9D of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years; provided further, that funds shall be expended for the community choices initiative; provided further, that no payment for special provider costs shall be

made from this item without the prior written approval of the secretary of administration and finance; provided further, that benefits for this demonstration project shall not be reduced below the services provided in fiscal year 2011; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2011; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the projected costs and the number of individuals served by the community choices initiative in fiscal year 2012 delineated by the federal poverty level; provided further, that notwithstanding any general or special law to the contrary, funds shall be expended from this item for the purpose of maintaining a personal needs allowance of \$72.80 per month for individuals residing in nursing homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly, Disabled and Children program or Supplemental Security Income; provided further, that funds shall be expended from this item to implement the pre-admission counseling and assessment program under the third paragraph of section 9 of chapter 118E of the General Laws, which shall be implemented on a statewide basis through aging and disability resource consortia; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the executive office of elder affairs, in consultation with the division of health care finance and policy, in recognition of the unique special innovative program status granted by the executive office of health and human services, shall continue to make the standard payment rates established in fiscal year 2006 to reflect the high dietary costs incurred in providing kosher food; and provided further, that notwithstanding any general or special law to the contrary, nursing facility rates effective July 1, 2011 may be developed using the costs of calendar year 2005 .....\$2,515,602,264

#### **Executive Office of Elder Affairs.**

---

4000-0640	For nursing facility Medicaid rates; provided, that notwithstanding any general or special law to the contrary, in fiscal year 2012 the division of health care finance and policy shall establish nursing facility Medicaid rates that cumulatively total \$288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002; provided further, that an amount for expenses related to the collection and administration of section 25 of chapter 118G of the General Laws shall be transferred to the division of health care finance and policy; and provided further, that the payments made pursuant to this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996 .....	\$288,500,000
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------

#### **Executive Office of Health and Human Services.**

---

4000-0700	For health care services provided to medical assistance recipients under the executive office's health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the executive office's managed care or senior care plans, and for
-----------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits until they reach age 21; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that \$3,000,000 may be expended from this item, or item 4000-0500, if necessary to achieve maximum federal financial participation, to enhance the ability of hospitals, community health centers and primary care clinicians to more efficiently and effectively serve populations in need; provided further, that these funds may be allocated using the standards used in fiscal year 2010; provided further, that these funds shall be disbursed not later than April 1, 2012; provided further, that funds may be expended from this item or 4000-0500, if necessary, to enhance the ability of hospitals to address emergency room capacity issues due to individuals with mental illness who are awaiting placement in an acute care bed; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that the executive office shall not, in fiscal year 2012, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that notwithstanding the foregoing, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; and provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider.....\$2,029,206,633

4000-0870 For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years .....\$157,016,626

4000-0875 For the provision of benefits to eligible women who require medical treatment for either breast or cervical cancer in accordance with section 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide those benefits to

	women whose income, as determined by the executive office, does not exceed 250 per cent of the federal poverty level, subject to continued federal approval; provided further, that eligibility for benefits shall be extended solely for the duration of the cancerous condition; provided further, that before the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer through the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1512 of section 2D; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years.....	\$4,770,999
4000-0880	For MassHealth benefits under clause (c) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these children and adolescents in prior fiscal years .....	\$218,925,814
4000-0890	For the cost of health insurance subsidies paid to employees and employers of small businesses in the insurance reimbursement program under section 9C of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years.....	\$58,181,956
4000-0895	For the healthy start program to provide medical care and assistance to pregnant women and infants residing in the commonwealth pursuant to section 10E of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years.....	\$13,800,000
4000-0950	For the purposes of administrative and program expenses associated with the Children's behavioral health initiative, in accordance with the settlement agreement in the case of Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts civil action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health services to children suffering from severe emotional disturbances; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years; provided further, that the secretary of health and human services shall report biannually to the house and senate committees on ways and means relative to implementation of the initiative; provided further, that such biannual reports shall include, but not be limited to, details of the implementation plan, results of the scheduled plan to date, including a schedule detailing commencement of services and associated costs by service type, an analysis of compliance with the terms of the settlement agreement to date, a detailed itemization of services and service utilization by service type, geographical location and the age of the member receiving the service, data detailing the time that elapses between a member's request for services and commencement of an initial assessment for services, the time to complete the initial assessment and the time that elapses between initial assessment for services and commencement of services and a	

quarterly update of whether projected expenditures are likely to exceed the amount appropriated herein; provided further, that any unexpended balance in this item shall revert to the General Fund on June 30, 2012; and provided further, that funds shall not be transferred from this item without notifying the house and senate committees on ways and means not less than 30 days prior to such a transfer.....\$214,743,708

4000-0990 For the Children's medical security plan to provide primary and preventive health services for uninsured children from birth through age 18; provided, that the executive office shall prescreen enrollees and applicants for Medicaid eligibility; provided further, that no applicant shall be enrolled in the program until the applicant has been denied eligibility for the MassHealth program; provided further, that the MassHealth benefit request shall be used as a joint application to determine the eligibility for both MassHealth and the Children's medical security plan; provided further, that the executive office shall maximize federal reimbursements for state expenditures made on behalf of the children; provided further, that the executive office shall expend all necessary funds from this item to ensure the provision of the maximum benefit levels for this program, as authorized by section 10F of chapter 118E of the General Laws; provided further, that the maximum benefit levels for this program shall be made available only to those children who have been determined by the executive office to be ineligible for MassHealth benefits; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years .....\$12,600,000

4000-1400 For the purposes of providing MassHealth benefits to persons with a diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years .....\$18,541,135

4000-1405 For the operation of a program of preventive and primary care for chronically unemployed persons who are not receiving unemployment insurance benefits and who are not eligible for medical assistance but who are determined by the executive office of health and human services to be long-term unemployed; provided, that such persons shall meet the eligibility requirements of the MassHealth program established in section 9A of chapter 118E of the General Laws; provided further, that persons eligible under subsection (7) of section 16D of said chapter 118E shall also be eligible to receive benefits under this item; provided further, that the income of such persons shall not exceed 100 per cent of the federal poverty level; provided further, that the eligibility requirements shall not exclude from eligibility persons who are employed intermittently or on a non-regular basis; provided further, that the provision of care to such persons under this program may, taking into account capacity, continuity of care, and geographic considerations, be restricted to certain providers; provided further, that the secretary may limit or close enrollment if necessary in order to ensure that expenditures from this item do not exceed the amount appropriated herein; provided further, that no such limitation shall be implemented unless the secretary has given 90 days' notice to the house and

	senate committees on ways and means and the joint committee on health care financing; and provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years .....	\$389,757,408
4000-1420	For the purposes of making payment to the federal Centers for Medicare and Medicaid Services in compliance with Title XIX of the Social Security Act.....	\$211,370,985
4000-1700	For the provision of information technology services within the executive office of health and human services.....	\$81,762,075

#### **Office for Refugees and Immigrants.**

---

4003-0122	For a citizenship for new Americans program to assist legal permanent residents of the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded by this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall be designed to include: ESOL/civics classes, citizenship application assistance, interview preparation and support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal non-citizens shall be given highest priority for services; and provided further, that persons who currently receive state-funded benefits which could be replaced, in whole or in part, by federally-funded benefits if these persons become citizens, shall be given priority for services .....	\$237,500
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

#### **Division of Health Care Finance and Policy.**

---

4100-0059	For the operation of the division of health care finance and policy and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws between January 1, 2012 and June 30, 2012; provided, that notwithstanding any general or special law to the contrary, the assessment to acute hospitals authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2012 the estimated expenses, including indirect costs, of the division and shall be equal to the amount appropriated in this item less one-half of the amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall not be less than 55 per cent of the total expenses appropriated for the division and the health safety net office; provided further, for the purposes of supporting the division's expanded role in developing health care policies that benefit government entities, providers, purchasers and consumers, the division shall assess surcharge payors as defined in section 34 of said chapter 118G, not less than 10 per cent of the total estimated expenses appropriated for the division and the health safety net	
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

office, including indirect costs, in fiscal year 2012, less one-half of amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessment on surcharge payors shall be calculated in a manner similar to the assessment authorized under section 38 of said chapter 118G, and shall be collected in a manner consistent with the provisions of said chapter 118G and deposited in the General Fund; provided further, that funds appropriated herein shall only be expended upon certification by the Secretary of Health and Human Services to the Secretary of Administration and Finance and the House and Senate Committees on Ways and Means that the Division of Health Care Finance and Policy has successfully implemented a claims adjudication system for both inpatient and outpatient claims in accordance with the provisions of Chapter 58 of the acts of 2006; and provided further, that said Secretary shall also report on or before March 1, 2012, on all measures undertaken to recover invalid payments made to Health Care Safety Net providers in prior fiscal years .....\$10,578,753

4100-0060

For the operation of the division of health care finance and policy and the administration of the Health Safety Net Trust Fund established in section 36 of chapter 118G of the General Laws between July 1, 2011 and December 31, 2011; provided, that notwithstanding any general or special law to the contrary, the assessment to acute hospitals authorized pursuant to section 5 of said chapter 118G for the estimated expenses of the division shall include in fiscal year 2012 the estimated expenses, including indirect costs, of the division and shall be equal to the amount appropriated in this item less one-half of amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessed amount shall not be less than 55 per cent of the total expenses appropriated for the division and the health safety net office; provided further, for the purposes of supporting the division's expanded role in developing health care policies that benefit government entities, providers, purchasers, and consumers, the division shall assess surcharge payors as defined in section 34 of said chapter 118G, not less than 10 per cent of the total estimated expenses appropriated for the division and the health safety net office, including indirect costs, in fiscal year 2012, less one-half of amounts projected to be collected in fiscal year 2012 from: (1) filing fees; (2) fees and charges generated by the division's publication or dissemination of reports and information; and (3) federal financial participation received as reimbursement for the division's administrative costs; provided further, that the assessment on surcharge payors shall be calculated in a manner similar to the assessment authorized under section 38 of said chapter 118G, and shall be collected in a manner consistent with the provisions of said chapter 118G and deposited in the General Fund; provided further, that the division shall promulgate regulations requiring all hospitals

receiving payments from the Health Safety Net Trust Fund to report to the division the following utilization information: the number of inpatient admissions and outpatient visits by age category, income category, diagnostic category, and average charge per admission; provided further, that the division shall submit quarterly reports to the house and senate committees on ways and means compiling this data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that funds may be expended for the purposes of a survey and study of the uninsured and underinsured in the commonwealth, including the health insurance needs of the residents of the commonwealth; provided further, that this study shall examine the overall impact of programs administered by the executive office of health and human services on the uninsured, the underinsured, and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of chapter 118G of the General Laws; provided further, that the division shall publish annual reports on the financial condition of hospitals and other health care providers through the Health Benchmarks project website, in collaboration with the executive office of health and human services, the office of the attorney general, and the University of Massachusetts; provided further, that the division shall submit to the house and senate committees on ways and means and the joint committee on health care financing not later than December 8, 2011 a report detailing utilization of the Health Safety Net Trust Fund; provided further, that the report shall include: (1) the number of persons in the commonwealth whose medical expenses were billed to the Health Safety Net Trust Fund in fiscal year 2011; (2) the total dollar amount billed to the Health Safety Net Trust Fund in fiscal year 2011; (3) the demographics of the population using the Health Safety Net Trust Fund; and (4) the types of services paid for out of the Health Safety Net Trust Fund in fiscal year 2011; provided further, that the division shall include in the report an analysis on hospitals' responsiveness to enrolling eligible individuals into the MassHealth program upon the date of service rather than charging those individuals to the Health Safety Net Trust Fund; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior; provided further, that funds shall be expended for the operation of the Health Care Quality and Cost Council established per section 16K of chapter 6A of the General Laws to promote high-quality, cost-effective, patient-centered care; provided further, that in fiscal year 2012, the division of health care finance and policy shall allocate \$2,000,000 for the Catastrophic Illness in Children Relief Fund, established in section 2ZZ of chapter 29 of the General Laws, from funds previously allocated for a demonstration project under section 22 of chapter 47 of the acts of 1997; provided further, that within 60 days after the effective date of this act, the division shall enter into an interagency



agreement with the executive office of health and human services to perform health safety net claims adjudication with a full range of claims editing including edits to capture duplicate claims, medically unnecessary services, medically unlikely services and incorporating correct coding initiative edits through its MMIS system as soon as feasible but not later than June 30, 2012; provided further, that the division and the executive office may consult with hospitals regarding such transition; and provided further, that the division and the executive office of health and human services shall file a report no later than October 1, 2011 with the house and senate committees on ways and means on the plan to transition health safety net claims processing to the MMIS system .....\$10,578,754

4100-0061 For the division of health care finance and policy, which may expend for the development, operations and maintenance of an all payer claims database, an amount not to exceed \$4,000,000 from amounts paid to the division for any and all fees paid for health data information and from any federal financial participation associated with the collection and administration of health care claims data; provided, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system .....\$4,000,000

4100-0360 For the health care quality and cost council established pursuant to section 16K of chapter 6A of the General Laws; provided, that the council may expend an amount not to exceed \$100,000 from the monies received from the sale of data reports .....\$100,000

---

## OFFICE OF DISABILITIES AND COMMUNITY SERVICES.

---

### Massachusetts Commission for the Blind.

---

4110-0001 For the office of the commissioner .....\$965,851

4110-1000 For the community services program; provided, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network; provided further that \$50,000 be expended for assistive technologies .....\$3,911,398

4110-1010 For aid to the adult blind; provided, that funds may be expended from this item for burial expenses incurred in the prior fiscal year and for sheltered workforce employee retirement benefits .....\$8,351,643

4110-2000 For the turning 22 program of the commission; provided, that the commission shall work in conjunction with the department of developmental services to secure the maximum amount of federal reimbursements available for the care of turning 22 clients .....\$11,034,194

4110-3010	For a program of vocational rehabilitation for the blind in cooperation with the federal government; provided, that no funds from federal vocational rehabilitation grants or state appropriation shall be deducted for pensions, group health and life insurance, or any other such indirect costs of federally reimbursed state employees .....	\$3,008,118
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

### **Massachusetts Rehabilitation Commission.**

---

4120-1000	For the operation of the commission; provided, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service; provided further, that upon the written request of the commissioner of revenue, the commission shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; and provided further, that the lists shall include client names and social security numbers and payee names and other identification, if different from a client's .....	\$408,720
4120-2000	For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance and any other such indirect cost of the federally-reimbursed state employees; and provided further, that the commissioner, in making referrals to service providers, shall take into account the client's place of residence and the geographic proximity of the nearest provider to the residence .....	\$10,013,228
4120-3000	For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided. ....	\$2,428,315
4120-4000	For independent living assistance services; provided further that \$50,000 be expended for assistive technologies .....	\$12,226,933
4120-4001	For the housing registry for the disabled .....	\$80,000
4120-4010	For the turning 22 program of the commission.....	\$791,208
4120-5000	For homemaking services .....	\$4,337,006
4120-6000	For services for individuals with head injuries; provided, that the commission shall work with the executive office of health and human services to maximize federal reimbursement for clients receiving head injured services.....	\$11,171,360

### **Massachusetts Commission for the Deaf and Hard of Hearing.**

---

4125-0100	For the operation of and services provided by the Massachusetts commission for the deaf and hard of hearing; provided further that \$50,000 be expended for assistive technologies .....	\$5,010,393
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

## **Soldiers' Home in Massachusetts.**

---

4180-0100	For the maintenance and operation of the Soldiers' Home in Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall work in state-operated facilities for at least 1 year; and provided further, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission, or hospitalization which exceeds the amount of fees charged in fiscal year 2011 .....	\$25,940,788
4180-1100	For the Soldiers' Home in Massachusetts which may expend not more than \$370,000 in revenues for facility maintenance and patient care, including personnel costs; provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued .....	\$370,000

## **Soldiers' Home in Holyoke.**

---

4190-0100	For the maintenance and operation of the Soldiers' Home in Holyoke, including the adult day care program, the Maguder House and the Chapin Mansion; provided, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2011 .....	\$19,539,530
4190-0101	For the Soldiers' Home in Holyoke which may expend for its operation an amount not to exceed \$5,000 from the licensing of the property for placement of aerial antennas .....	\$5,000
4190-0102	For the Soldiers' Home in Holyoke which may expend for the outpatient pharmacy program an amount not to exceed \$110,000 from co-payments which it may charge to users of the program; provided, that no co-payments shall be imposed or required of any person which exceed the level of co-payments charged in fiscal year 2011 .....	\$110,000
4190-0200	For the Soldiers' Home in Holyoke which may expend not more than \$35,000 from fees collected from veterans in its care for the purposes of providing television and telephone services to residents; provided, that fees from the use of telephones and televisions shall	

only be expended for payments to vendors for said services; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$35,000

4190-0300 For the Soldiers' Home in Holyoke which may expend not more than \$671,530 for the operation of 12 additional long term care beds from revenue generated through the occupancy of these beds; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$671,530

4190-1100 For the Soldiers' Home in Holyoke which may expend not more than \$250,000 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued .....\$250,000

---

## OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

---

### Department of Youth Services.

---

4200-0010 For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; provided further, that the department shall continue to execute its education funding initiative; and provided further, that the commissioner of youth services, in conjunction with the department of elementary and secondary education, shall submit a report on the status of the department of youth services investment in education and its projected needs in fiscal years 2012 and 2013 to the house and senate committees on ways and means by December 1, 2011 .....\$4,141,463

4200-0100	For supervision, counseling and other community-based services provided to committed youths in nonresidential care programs of the department; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0200 and 4200-0300; and provided further, that 15 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer .....	\$21,619,063
4200-0200	For pretrial detention programs, including purchase-of-service and state-operated programs; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated herein to items 4200-0100 and 4200-0300; and provided further, that 15 days before any transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer .....	\$18,256,369
4200-0300	For secure facilities, including purchase-of-service and state operated programs incidental to the operations of the facilities; provided, that funds shall be expended to address the needs of the female population; provided further, that funds shall be expended to address suicide prevention; provided, that funds may be expended for salaries for teachers at the department of youth services; provided further, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0100 and 4200-0200; and provided further, that 15 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer .....	\$95,970,712
4200-0500	For enhanced salaries for teachers at the department of youth services.....	\$2,500,000

#### **Department of Transitional Assistance.**

---

4400-1000	For the central administration of the department of transitional assistance; provided, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements and public assistance caseloads and benefits; provided further, that the department shall collect all out-of-court settlement restitution payments; provided further, that the restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that notwithstanding any general or special law to the contrary, unless otherwise expressly provided, federal reimbursements received for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for the current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further, that an application for	
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

assistance under chapter 118 of the General Laws shall be deemed an application for assistance under chapter 118E of the General Laws; provided further, that if assistance under said chapter 118 is denied, the application shall be transmitted by the department to the executive office of health and human services for a determination of eligibility under said chapter 118E; provided further, that the department shall, to the extent feasible within the appropriation provided, provide for extended office hours; provided further, that the department shall accomplish the staffing of these extended office hours to the maximum extent possible through the use of flex-time that will allow workers to modify their working hours to accommodate their specific personal and family needs; provided further, that the department shall, to the extent feasible within the appropriation provided, continue and expand the program of placing workers at community and human service organizations for the purposes of facilitating supplemental nutrition assistance program applications and redeterminations; provided further, that the department of transitional assistance shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; and provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements.....\$53,084,416

4400-1001	For programs to increase the commonwealth's participation rate in the supplemental nutrition assistance program and other federal nutrition programs; provided, that funds may be expended for a grant with Project Bread -The Walk for Hunger, Inc.; provided further, that the work of department employees paid for from this item shall be restricted to processing supplemental nutrition assistance program applications; provided further, that the department shall not require supplemental nutrition assistance program applicants to provide re-verification of eligibility factors previously verified and not subject to change; provided further, that notwithstanding any general or special law to the contrary, the department shall require only 1 signature from supplemental nutrition assistance program applicants; provided further, that the department shall fund a unit staffed by department employees to respond to supplemental nutrition assistance program inquiries, and arrange and conduct telephone interviews for initial supplemental nutrition assistance program applications from this item; provided further, that the department shall fund a system to image and catalogue eligibility documents electronically from this item; provided further, that funds may be expended for supplemental nutrition assistance program outreach; and provided further, that the department shall report to the house and senate committees on ways and means not later than December 1, 2011 on the status of these programs.....\$2,933,683
4400-1025	For domestic violence specialists at local area offices.....\$748,734
4400-1100	For the payroll of the department's caseworkers; provided, that only employees of bargaining unit 8 shall be paid from this item, prior appropriation continued .....\$57,535,677
4401-1000	For employment and training services for recipients of benefits provided under the transitional aid to families with dependent

children program; provided, that funds from this item may be expended on former recipients of the program for up to 1 year after termination of their benefits; provided further, that no less than \$3,000,000 shall be expended for providers with whom the department entered into service agreements with in fiscal year 2011 as procured under the Competitive Integrated Employment Service program; provided further, that the young parents program shall receive no less than the amount expended in the previous fiscal year; provided further, that certain parents who have not yet reached the age of 18 years, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income shall be eligible to receive services; provided further, that no less than \$50,000 shall be expended for the DTA Works internship program; provided further, that funds shall be provided for learning disability assessments through the University of Massachusetts; provided further, that funds shall be expended for transportation benefits for recipients of temporary aid to families with dependent children; provided further, that funds shall be expended for programs operated through the Massachusetts Office of Refugee and Immigrants; provided further, that the department may expend funds for vocational specialists staffed by the university of Massachusetts; and provided further, that funds may be expended for trauma informed employment services, including Project SAFE .....\$7,109,035

4403-2000

For a program of transitional aid to families with dependent children; provided, that notwithstanding any general or special law to the contrary, benefits under the program of transitional aid to families with dependent children shall be paid only to citizens of the United States and to non-citizens for whom federal funds may be used to provide benefits; provided further, that notwithstanding any general or special law or any provisions of this act to the contrary, no benefit under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2011 unless the department determines that a reduction in the monthly payment standard should be implemented before the end of the fiscal year to keep program expenditures within the amounts appropriated in this item; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment standard in fiscal year 2012, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; and pursuant to said act and notwithstanding section 218 of chapter 149 of the acts of 2004, or any other special or general law to the contrary, the recipients defined in said section 218 whose youngest child of record is of the age at which full time schooling is mandatory or older shall meet the federal standard of 30 hours per week of work-related activity; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts of 1995, or any successor statute; provided further, that a \$40 per month rent allowance shall be paid to all

households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a nonrecurring children's clothing allowance in the amount of \$150 may be provided to each child eligible under this program in September 2011, to the extent feasible within appropriation; provided further, that the nonrecurring clothing allotment in fiscal year 2012 shall not be less than \$40; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2011; provided further, that benefits under this program shall not be available to those families in which a child has been removed from the household pursuant to a court order after a care and protection hearing under chapter 119 of the General Laws, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of children and families in accordance with department procedures; provided further, that notwithstanding section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month the payments are to be made or within the 3 month period after the month of payment, and who, if the child had been born and was living with such woman in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department shall, to the extent feasible within the existing appropriation and funding from other sources, review its disability standards to determine the extent to which they reflect the current medical and vocational criteria; provided further, that the department shall report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities 90 days before any changes to the disability standards are proposed; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the department shall provide oral and written notification to all recipients of their child care benefits at the time of application and on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall further advise recipients of the availability of supplemental nutrition assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility for, or levels of benefits under the program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding any general or special law to



the contrary, 90 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; provided further, that the report shall state exactly which components of the current benefit package shall be altered and the department's assessment of the effects of such benefit or eligibility changes upon recipient families and the number of families affected by the benefit changes; provided further, that the report shall outline all steps that the department has taken to avoid or mitigate any such benefit changes; provided further, that the report shall detail the savings realized by any such changes to benefits or eligibility; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families .....\$315,980,979

4403-2007 For a nutritional benefit program for low-income workers; provided, that benefits shall be provided only to those for whom receiving these benefits will improve the work participation rate under the federal program of temporary assistance for needy families .....\$900,000

4403-2119 For the provision of structured settings as provided in subsection (i) of section 110 of chapter 5 of the acts of 1995, or any successor statute, for parents under the age of 20 who are receiving benefits under the transitional aid to families with dependent children program .....\$6,436,708

4405-2000 For the state supplement to the supplemental security income program for the aged and disabled, including a program for emergency needs for supplemental security income recipients; provided, that the expenses of special grant recipients residing in rest homes, as provided in section 7A of chapter 118A of the General Laws, may be paid from this item; provided further, that the department, in collaboration with the executive office of health and human services, may fund an optional supplemental living arrangement category under the supplemental security income program that makes payments to persons living in assisted living residences certified under chapter 19D of the General Laws who meet the income and clinical eligibility criteria established by the department and the office; provided further, that the optional category of payments shall only be administered in conjunction with the Medicaid group adult foster care benefit; and provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item .....\$222,156,525

4408-1000 For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation therefore; provided, that benefits under this item shall only be provided to residents who are citizens of the United States or qualified aliens or non-citizens otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the individual shall not be subject to sponsor income deeming or related restrictions;

provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically-determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates such individuals' capacity to support themselves and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history or person in a residential treatment facility shall be eligible for benefits under this program unless the person otherwise meets the eligibility criteria described in this item and defined by regulations of the department; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall adopt emergency regulations under chapter 30A of the General Laws to implement the changes to this program required by this item promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted in this item at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children program or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, the funds made available in this item shall be the only funds available for the program, and the department shall not spend funds for the program in excess of the amount made available in this item; provided further, that notwithstanding any general or special law to the contrary, 90 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on

ways and means and with the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; provided further, that the report shall state exactly which components of the current benefit package shall be altered and the department's assessment of the effects of such benefit or eligibility changes upon recipient families and the number of families affected by the benefit changes; provided further, that the report shall outline all steps that the department has taken to avoid or mitigate any such benefit changes; provided further, that the report shall detail the savings realized by any such changes to benefits or eligibility; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families .....\$88,958,966

---

## OFFICE OF HEALTH SERVICES.

---

### Department of Public Health.

---

4510-0020	For the department of public health, which may expend not more than \$375,000 in revenues collected from fees charged by the food protection programs for program costs of the department's food protection program; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$375,000
4510-0025	For the department of public health, which may expend not more than \$889,889 for a school-based sealant program known as the SEAL Program from revenues collected from MassHealth and other third party reimbursement for preventive oral health procedures; provided, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$889,889
4510-0040	For the department of public health, which may expend for the regulation of all pharmaceutical and medical device companies that market their products in the commonwealth an amount not to exceed \$421,539 from fees assessed under chapter 111N of the General Laws; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$421,539
4510-0100	For the administration and operation of the department, including the personnel support of programmatic staff within the department,

	including the health statistics program, the operation of the registry of vital records and statistics, and the Massachusetts Cancer Registry; provided, that the department shall make every effort to obtain maximum federal financial participation, including grants, relating to its programs; provided further, that the department shall give specific consideration to additional monies available pursuant to the Patient Protection and Affordability Act of 2010, Public Law 111-148 and the Health Care and Education Reconciliation Act of 2010, Public Law 111-152; and provided further, that the department shall file a report with the house and senate committees on ways and means detailing the grants for which it has applied and received approval not later than February 1, 2012 .....	\$15,394,748
4510-0110	For community health center services; provided, that not less than \$250,000 shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under section 330(f)(1) of the Public Health Service Act, 42 U.S.C. section 254c(f)(1) .....	\$963,949
4510-0600	For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of radiological facilities, licensing of x-ray technologists and the administration of the bureau of environmental health assessment pursuant to chapter 111F of the General Laws; provided, that the department shall file a report with the house and senate committees on ways and means, the joint committee on public health and the joint committee on health care financing on the status of local health inspections of food establishments, consistent with the department of public health food safety regulations and a report on the current waiting list for indoor air inspections by October 3, 2011 .....	\$3,205,454
4510-0615	The department may expend not more than \$180,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than \$1,584,716 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; provided further, that not less than \$90,000 shall be expended for the C-10 Research & Education Foundation of Newburyport for the purposes of providing radiological monitoring of the six Massachusetts communities within the plume exposure emergency planning zone of Seabrook Nuclear Power Plant; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$1,764,716

4510-0616	For the department of public health, which may expend not more than \$1,241,668 for a drug registration and monitoring program from revenues collected from fees charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists for controlled substance registration; provided, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$1,241,668
4510-0710	For the operation of the division of health care quality and the office of patient protection; provided, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the Medicaid fraud control unit in the office of the attorney general; provided further, that the division shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care to improve the quality of care in long-term care facilities; provided further, that the program shall promote the use of best practices, models of quality care giving and the culture of workforce retention within the facilities and shall focus on systemic ways to reduce deficiencies; and provided further, that services funded through this item shall include, but not be limited to: education, training, intervention, support, surveillance and evaluation .....	\$6,242,959
4510-0712	For the department of public health which may expend not more than \$1,562,309 in revenues collected from the licensure of health facilities for program costs of the division of health care quality; provided, that the department may expend not more than \$877,402 from revenues collected from individuals applying for emergency medical technician licensure and recertification; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$2,439,711
4510-0715	For the operation of a center for primary care recruitment and placement to improve access to primary care services .....	\$157,000
4510-0716	For the operation of an evidenced-based outreach and education program designed to provide information and education on the therapeutic and cost-effective utilization of prescription drugs to	

	physicians, pharmacists and other health care professionals authorized to prescribe and diagnose prescription drugs .....	\$93,000
4510-0721	For the operation and administration of the board of registration in nursing .....	\$795,800
4510-0722	For the operation and administration of the board of registration in pharmacy .....	\$194,806
4510-0723	For the operation and administration of the board of registration in medicine and the committee on acupuncture.....	\$997,001
4510-0725	For the operation and administration of certain health boards of registration, including the boards of registration in dentistry, nursing home administrators, physician assistants, perfusionists, genetic counselors and respiratory care .....	\$273,383
4510-0726	For the board of registration in medicine, including the physician profiles program; provided, that the board may expend revenues not to exceed \$300,000 from new revenues associated with increased license and renewal fees .....	\$300,000
4510-0790	For regional emergency medical services; provided, that no funds shall be expended in the AA object class; and provided further, that the regional emergency medical services councils, designated under 105 CMR 170.101 and the C-MED medical emergency communications centers that were in existence on January 1, 1992, shall remain the designated councils and C-MED communications centers .....	\$931,959
4510-0810	For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that funds shall be expended to support Children's advocacy centers; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners .....	\$3,160,740
4512-0103	For human immunodeficiency virus and acquired immune deficiency syndrome services and programs and related services for persons affected by the associated conditions of viral hepatitis and sexually transmitted infections; provided, that particular attention shall be paid to direct funding proportionately to each of the demographic groups afflicted by HIV/AIDS and associated conditions; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2012.....	\$31,597,810
4512-0106	For the department of public health which may expend for the human immunodeficiency virus and acquired immune deficiency syndrome drug assistance program an amount not to exceed \$7,500,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program of the Public Health Service Act, administered by the federal Health Resources and Services Administration and Office of Pharmacy Affairs.....	\$7,500,000
4512-0200	For the division of substance abuse services, including a program to reimburse driver alcohol education programs for services provided	

for court adjudicated indigent clients; provided, that programs shall receive the same percentage of funding in fiscal year 2012 as received in fiscal year 2011; and provided further, that not less than \$125,000 shall be expended for Self Esteem Boston's substance abuse direct service prevention, and provider training programs .....\$74,810,802

4512-0201 For substance abuse step-down recovery services, otherwise known as level B beds and services, and other critical recovery services with severely reduced capacity; provided, that no funds shall be expended in the AA object class; and provided further, that the department shall submit quarterly to the house and senate committees on ways and means a report on the number of individuals served by the step-down recovery services program.....\$4,800,000

4512-0202 For jail diversion programs primarily for nonviolent offenders with OxyContin or heroin addiction to be procured by the department of public health; provided, that each program shall have at least 60 beds and shall provide clinical assessment services to the respective courts, inpatient treatment for up to 90 days and ongoing case management services for up to 1 year; provided further, that individuals may be diverted to this or other programs by a district attorney in conjunction with the office of the commissioner of probation if: (a) there is reason to believe that the individual being diverted suffers from an addiction to OxyContin or heroin, or other substance use disorder; and (b) the diversion of an individual is clinically appropriate and consistent with established clinical and public safety criteria; provided further, that programs shall be established in separate counties in locations deemed suitable by the department of public health; provided further, that the department of public health shall coordinate operations with the sheriffs, the district attorneys, the office of the commissioner of probation and the department of correction; provided further, that not more than \$500,000 shall be used to support the ongoing treatment needs of clients after 90 days for which there is no other payer; and provided further, that not later than August 2, 2011, the department of public health shall provide a report to the joint committee on mental health and substance abuse and the house and senate committees on ways and means as to the outcomes of the program and the cost of operations .....\$2,000,000

4512-0203 For family intervention and care management services programs, a young adult treatment program, and early intervention services for individuals who are dependent on or addicted to alcohol or controlled substances or both alcohol and controlled substances.....\$1,500,000

4512-0225 For the department of public health, which may expend not more than \$1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed prize money was won, and from the proceeds of a multi-jurisdictional lottery game under subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state comptroller shall transfer the amount to the General Fund; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur

	expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$1,000,000
4512-0500	For dental health services; provided, that funds shall be expended to maintain a program of dental services for the developmentally disabled; provided further, that the department shall submit to the house and senate committees on ways and means a quarterly report on the number of children served by this dental health services program and the number of children waiting to be served by the program; and provided further, that funds shall be expended for the Forsyth Institute's Center for Children's Oral Health .....	\$1,395,761
4513-1000	For the provision of family health services; provided, that funds shall be provided for comprehensive family planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies; and provided further, that funds may be expended for the Massachusetts birth defects monitoring program .....	\$4,656,797
4513-1002	For women, infants and children's, WIC, nutrition services in addition to funds received under the federal nutrition program; provided, that funds from this item shall supplement federal funds to enable federally eligible women, infants and children to be served through the WIC program .....	\$12,366,617
4513-1012	For the department of public health, which may expend not more than \$24,510,000 from revenues received from the federal cost-containment initiatives including, but not limited to, infant formula rebates; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....	\$24,510,000
4513-1020	For the early intervention program; provided, that the department shall report quarterly to the house and senate committees on ways and means the total number of units of service purchased and the total expenditures for the units of service paid by the department, the executive office of health and human services and third party payers for early intervention services for the following services categories: home visit, center-based individual, child-focused group, parent-focused group, and screening and assessment; provided further, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that funds from this item shall be expended to provide respite services to families of children enrolled in early intervention programs who have complex care requirements, multiple disabilities and extensive medical and health needs; provided further, that priority shall be given to low and moderate income families; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that MassHealth shall fully reimburse the department of	



public health for all costs incurred for the transportation of MassHealth members who participate in the early intervention program; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item; provided further, that the department shall provide written notification to the senate and house committees on ways and means 90 days prior to any change to its current eligibility criteria; provided further, that these funds may be used to pay for current and prior year claims; provided further, that the department of public health shall report no later than April 2, 2012 on the number of children, by community, receiving early intervention services who without early intervention services are likely to require special education services; and provided further, that the department shall provide services to eligible children through one service delivery model and shall not determine eligibility for services based on family insurance status .....\$31,144,420

4513-1023 For the universal newborn hearing screening program; provided, that funds appropriated in this item shall be expended for the notification of and follow through with affected families, primary care providers and early intervention programs upon the department's receipt of data indicative of potential hearing disorders in newborns .....\$65,494

4513-1026 For the provision of statewide and community-based suicide prevention, intervention, post-intervention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that funds shall be expended for a program to address elder suicide behavior and attempts with the geriatric mental health services program within the department of elder affairs; provided further, that funds shall be expended for a veterans in crisis hotline; provided further, that the hotline shall be for the use of veterans who seek counseling programs operated by the department of veterans affairs or concerned family members of those veterans so that they may be directed towards the programs and services offered by their local or regional veterans office; and provided further, that the hotline shall be staffed by counselors or outreach programs contracted by the department and trained in issues of mental health counseling and veterans services.....\$3,569,444

4513-1111 For the promotion of health and disease prevention which may include: breast cancer prevention; diabetes screening and outreach; ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and education; multiple sclerosis screening, information, education and treatment programs and the Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; hepatitis C prevention and management; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant to section 25A of chapter 111 of the General Laws; and maintenance of the statewide lupus database; provided, that funds may be expended for the operation of the Betsy Lehman Center for patient safety .....\$3,400,000

4513-1130	For domestic violence and sexual assault prevention and victim services, including batterers' intervention and services for immigrants and refugees; provided, that funds shall be expended for rape prevention and victim services, including the statewide Spanish language hotline; provided further, that funds shall be expended for the public health model of community engagement and intervention services for crisis housing for sexual violence and intimate partner violence in the gay, lesbian, bisexual, and transgender communities; and provided further, that funds may be expended for classroom-based domestic violence prevention education programs administered in item 0340-0900 in fiscal year 2009 .....	\$5,507,970
4516-0263	For the department of public health; provided, that said department may expend not more than \$1,112,974 in revenues from various blood lead testing fees collected from insurers and individuals for the purpose of conducting such tests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$1,112,974
4516-1000	For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that the department shall give priority to the analysis of samples used in the prosecution of controlled substances offenses; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; and provided further, that funds from this item may be expended for the purchase of equipment for the drug laboratory at the state laboratory institute .....	\$12,713,002
4516-1010	For state matching funds required by the Pandemic and All-Hazards Preparedness Act .....	\$2,272,509
4516-1022	For the department of public health, which may expend not more than \$250,619 generated by fees collected from insurers for tuberculosis tests performed at the state laboratory institute; provided, that revenues collected may be used to supplement the costs of said laboratory; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$250,619
4518-0200	For the department of public health, which may expend not more than \$415,275 generated by fees collected from the following services provided at the registry of vital records and statistics: amendments of vital records, requests for vital records not issued in person at the registry, requests for heirloom certificates, and	

	research requests performed by registry staff at the registry; provided, that revenues so collected may be used for all program costs, including the compensation of employees; provided further, that the registrar of vital records and statistics shall exempt from payment of a fee any person requesting a verification of birth for the purpose of establishing eligibility for Medicaid; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$415,275
4530-9000	For teenage pregnancy prevention services; provided, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of the grants may be used for state agency purchases of designated services identified by the community service plans; provided further, that funding shall be expended on those communities with the highest teen birth rates according to an annual statistical estimate conducted by the department; provided further, that funds shall be expended on programming directed at children under the care of the department of children and families who are at high risk for teenage pregnancy; and provided further, that the department shall collaborate with the department of children and families on this programming .....	\$2,378,410
4570-1502	For the purposes of implementing a proactive statewide infection prevention and control program .....	\$251,281
4580-1000	For the operation of the universal immunization program; provided, that no funds appropriated in this item shall be expended for administrative or energy expenses of the department not directly related to programs funded in this item; and provided further, that notwithstanding any general or special law to the contrary, the costs of purchasing and distributing childhood vaccines for children in this item may be assessed, in an amount equivalent to the department's projected fiscal year 2012 costs, on surcharge payers under section 38 of chapter 118G of the General Laws and may be collected in a manner consistent with said chapter 118G .....	\$51,372,377
4590-0250	For school health services and school-based health centers in public and non-public schools; provided, that services shall include, but not be limited to: (a) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming and interdisciplinary collaboration; (b) developing linkages between school health services programs and community health providers; (c) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services; and (d) incorporating obesity prevention programs, including nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that the services shall meet standards and eligibility guidelines established by the department in consultation with the department of	

	<p>elementary and secondary education; provided further, that the department shall expend the same percentage of funds for the school nurse programs as expended in fiscal year 2011; provided further, that funds may be expended to address the recommendations of the permanent commission on gay and lesbian youth, established in section 67 of chapter 3 of the General Laws, for the reduction of health disparities for gay, lesbian bisexual and transgendered youth; and provided further, that funds may be expended for the Massachusetts Model of Community Coalitions .....</p>	\$11,597,967
4590-0300	For smoking prevention and cessation programs .....	\$4,150,703
4590-0912	<p>For the department of public health which may expend an amount not to exceed \$16,457,488 from reimbursements collected for Western Massachusetts Hospital services, subject to the approval of the commissioner of public health; provided, that such revenues may be expended for the purpose of hospital-related costs, including personnel, capital expenditures, DD object class chargebacks and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to the contrary, the Western Massachusetts Hospital shall be eligible to receive and retain full payment under the medical assistance program administered by the executive office of health and human services pursuant to chapter 118E of the General Laws for all goods and services provided by the hospital in accordance with all federal requirements; provided further, that notwithstanding any general or special law to the contrary, the Western Massachusetts Hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary of administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated herein shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item .....</p>	\$16,457,488
4590-0913	<p>For the department of public health which may expend not more than \$499,827 for payments received for those services provided by the Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system.....</p>	\$499,827
4590-0915	For the maintenance and operation of Tewksbury hospital, Massachusetts hospital school, Lemuel Shattuck hospital and the	

hospital bureau, including the state office of pharmacy services; provided, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; provided further, that reimbursements received for medical services provided at the Lemuel Shattuck Hospital to inmates of state sheriff correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B; and provided further, that notwithstanding any general or special law to the contrary, the department shall seek to obtain federal financial participation for care provided to inmates of the department of correction and of county correctional facilities who are treated at the public health hospitals .....\$139,037,382

4590-0917 For the department of public health, which may expend an amount not to exceed \$4,046,265 from payments received from the vendor managing health services for state correctional facilities for inmate medical services provided by the Lemuel Shattuck hospital; provided, that the payments may include capitation payments, fee for service payments, advance payments and other compensation arrangements established by contract between the vendor and the hospital; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$4,046,265

4590-1503 For the pediatric palliative care program established in section 24K of chapter 111 of the General Laws .....\$790,732

4590-1506 For a competitive grant program to be administered by the department of public health to support the establishment of a comprehensive youth violence prevention program; provided, that eligibility shall be determined by the criteria set forth in item 4590-1506 of section 2 of chapter 182 of the acts of 2008; provided further, that no grants shall be awarded to law enforcement agencies; provided further, that funds shall be considered one-time and grants may not annualize in fiscal year 2013; provided further, that the department of public health shall report to the house and senate committees on ways and means and the executive office of administration and finance not later than November 1, 2011, detailing the grant amount awarded to each recipient and a description of each grant; and provided further, that each grant recipient shall provide the department of public health with a comprehensive list of best practices that have been instituted as a result of these grants .....\$1,000,000

4590-1507 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs, the Alliance of Massachusetts YMCAs, the YWCA organizations, nonprofit community centers, and youth development programs; provided, that the department of public health shall award the full amount of each grant to each organization previously included in the youth-at-risk grants, upon commitment of matching funds from such organizations; provided further, that each organization previously included in the youth-at-risk grants shall

receive in fiscal year 2012 a grant amount not less than that received in fiscal year 2011; and provided further, that funds granted to the Massachusetts Alliance of Boys & Girls Clubs must be distributed equally between said recipient's member organizations.....\$1,700,000

---

## OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

---

### Department of Children and Families.

---

4800-0015 For central and area office administration; provided, that the associated expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall be paid from this item; provided further, that no funds shall be expended from this item for the compensation of unit 8 employees; provided further, that the department shall not place a child or adolescent referred by, or discharged from, the care of the department of mental health until the latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is more appropriate for group care; provided further, that the department, in consultation with the department of mental health, shall assist the latter department in making such assessments and recommendations; provided further, that if placement of a child with someone other than a parent becomes necessary, the department shall place the highest priority on identifying a family resource within the child's kinship or family circle and shall provide services and support to partner with the family resource in meeting the child's needs; provided further, that unless otherwise authorized, all funds, including federal reimbursements received by the department, shall be credited to the General Fund; provided further, that the department and the department of early education and care shall provide standards for early education and care placements made through the supportive child care program; provided further, that the department of children and families, in collaboration with the department of early education and care, shall maintain a centralized list detailing the number of children eligible for supportive child care services, the number of supportive slots filled and the number of supportive slots available; provided further, that notwithstanding any general or special law to the contrary, the department shall not reduce recoupment amounts recommended by the state auditor; provided further, that by October 3, 2011, the department shall issue draft revised regulations for public comment which shall ensure that the department maintains an independent, timely and fair administrative hearings system and shall issue final regulations by December 1, 2011; provided further, that not later than October 1, 2011, the department shall: (a) revise its procedures to ensure that newly requested administrative hearings are scheduled and decided upon on a timely basis and (b) submit to the joint committee on children, families and persons with disabilities a plan for eliminating its backlog of administrative hearing requests; provided further, that the plan shall identify the number of fair hearing requests that were pending as of July 1, 2011, and shall set quarterly benchmarks for elimination of the backlog; provided further, that not later than February 15, 2012, the department shall provide to the house and senate committees on ways and means and the joint committee on

children and families a report detailing the number of medical and psychiatric personnel currently employed by or under contract with the department; provided further, that the report shall include the number of foster care reviews conducted by the department and the average length of time in which each review is completed; provided further, that the report shall contain the number of the department's contracts reviewed by the state auditor and the number of corrective action plans issued; provided further, that the report shall also include the number of corrective action plans entered into by the department; provided further, that the report shall include the number of social workers and supervisors who have earned a bachelors' or masters' degree in social work; provided further, that the report shall include the total number of social workers and the total number of social workers holding licensure, by level; provided further, that the department shall file a report on the first business day of each month to the senate and house committees on ways and means and the joint committee on children and families on the caseload of the department; provided further, that caseloads provided in this report shall include: residential placements, congregate care, foster care, therapeutic foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care and custody of the department, the number of children currently eligible for supportive child care and the number of children presently receiving supportive child care, and the number of medical and psychiatric consultation requests made by the department's social workers; provided further, that the report shall include the number of approved foster care placements; provided further, that the report shall also include the number of children in psychiatric hospitals and community-based acute treatment programs who remain hospitalized beyond their medically-necessary stay while awaiting placement and the number of days each case remains in placement beyond that which is medically-necessary; provided further, that the report shall include the number of children under the department of children and families care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources; provided further, that the report shall also contain the number of children served by supervised visitation centers and the number of those children who are reunified with their families; provided further, that the report shall also contain information on the total number of children served, their ages, the number of children served in each service plan, the number of children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement; provided further, that the report shall also contain, for each area office, the number of kinship guardianship subsidies provided in the month covered by the report and the number of kinship guardianship subsidies provided in that month for which federal reimbursement was received; provided further, that the report shall also contain, for each area office, the total spending on services other than case management services provided to families for the purposes of keeping a child with his parents or reunifying the child with his parents, spending by type of the service, and the unduplicated number of families that receive the services; provided further, that the report shall also contain for each area office, the total number of families in the month residing in shelter paid for by the department, a list of where the families are sheltered, the total cost and average cost per family of those

shelters, and a description of how the department determines who does or does not qualify for shelter; provided further, that the report shall include, for each area office, broken down by type of service, the number of requests for voluntary services, whether the request was approved or denied, the number of families that are denied voluntary services and receive a 51A report, the reasons for denying the service, and what, if any, referrals were made for services by other agencies or entities; provided further, that the report shall also contain the number of families receiving multiple 51A reports within a 10-month period, the number of cases reopened within 6 months of being closed and the number of children who return home and then re-enter an out-of-home placement within 6 months; provided further, that not later than November 2, 2011, the department shall submit a report to the house and senate committees on ways and means and the chairs of the joint committee on children and families that includes any rules, regulations, or guidelines established by the department to carry out its duties pursuant to chapter 119 of the General Laws, including, but not limited to: (a) criteria used to determine whether a child has been abused or neglected; (b) guidelines for removal of a child from the home; and (c) standards to determine what reasonable efforts are made to keep a child in the home; provided further, that if the number of foster children under the care of the department in the third quarter is lower than the number of foster children under the care of the department for the first and second quarters, foster children in the care of the department may receive a clothing allowance for the fourth quarter at an amount up to the amount provided in Fiscal Year 2011; provided further, that the commissioner of the department of children and families may transfer funds between items, 4800-0038, 4800-0040 and 4800-0041 for services only and no transfers shall be made for administrative costs, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days prior to any such transfer; provided further, that not more than 5 per cent of any item shall be transferred in fiscal year 2012; and provided further, that no funds shall be transferred from 4800-0040 to any of those items .....\$63,677,819

4800-0016	For the department of children and families which may expend for the operation of the transitional employment program an amount not to exceed \$2,000,000 from revenues collected from various state, county and municipal government entities, as well as state authorities, for the costs related to the provision of services by the participants and the overhead costs and expenses incurred by the not-for-profit managing agent selected by the commissioner for administering the program; provided, that notwithstanding any general or special law to the contrary, the commissioner of the department of children and families may enter into a contract with Roca, Inc., a not-for-profit community-based agency, to manage the transitional employment program and to provide services to participants from the aging out population, parolees, probationers, youth service releases, or other community residents considered to have employment needs .....\$2,000,000
4800-0025	For foster care review services .....\$2,824,059



4800-0030	For the continuation of local and regional administration and coordination of services provided by lead agencies through purchase-of-service contracts; provided, that flex services required by this item and provided by these agencies shall be funded from this item; and provided further, that funding shall only be expended in the MM object class.....	\$9,300,000
4800-0036	For a sexual abuse intervention network program to be administered in conjunction with the district attorneys.....	\$697,508
4800-0038	For guardianship, foster care, adoption, family preservation, and kinship services provided by the department of children and families; provided, that services funded through this item shall include shelter services, substance abuse treatment, young parent programs, parent aides, education and counseling services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs; provided further, that not less than \$50,000 shall be expended for a contract with Julie's Family Learning Program, Inc. in the South Boston section of the city of Boston; provided further, that the regional offices shall work with the contracted entities for children placed in the intensive foster care system and with the receiving communities of these children to ensure all necessary services are provided; provided further, that funding shall be expended on children's advocacy centers, services for child victims of sexual abuse and assault; provided further, that funds may be expended on programs that received funding in fiscal year 2011; provided further, that funding may be expended on supervised visitation programs; and, provided further, that a children's advocacy center shall be established in Bristol County.....	\$242,757,069
4800-0040	For family preservation and reunification; provided, that services shall include family support and stabilization services provided by the department; and provided further, that no funds shall be expended from this item for the compensation of administrative employees and associated administrative costs of the department .....	\$39,750,000
4800-0041	For congregate care services; provided, that funds may be expended from this item to provide intensive community-based services, including intensive in-home support and stabilization services, to children who would otherwise be placed in residential settings; and provided further, that the department shall oversee area review teams that shall evaluate the feasibility of maintaining the child in the community in this manner wherever possible before recommending placement in a residential setting .....	\$193,564,169
4800-0091	For the department of children and families which may expend not more than \$2,058,735 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2012 for the purposes of developing a training institute for professional development at the department of children and families with the	

University of Massachusetts Medical School and Salem State University; provided, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of \$2,058,735 shall be credited to the General Fund .....\$2,058,735

4800-0151 For a program to provide alternative overnight non-secure placements for status offenders and nonviolent delinquent youths up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the programs which provide the alternative non-secure placements shall collaborate with the appropriate county sheriff's office to provide referrals of those offenders and delinquent youths to any programs within the sheriff's office designed to positively influence youths or reduce juvenile crime .....\$270,919

4800-1100 For the AA and DD object class costs of the department's social workers; provided, that funds shall be directed toward mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard and toward achieving a social worker caseload ratio of 18 to 1 statewide; and provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item .....\$159,452,441

4800-1400 For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised visitation programs, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that the department shall continue to provide any match funding required by federal program regulations; provided further, that domestic violence prevention specialists shall be funded from this item .....\$20,725,062

---

## OFFICE OF HEALTH SERVICES.

---

**Department of Mental Health.**

---

5011-0100	For the operation of the department of mental health .....\$26,747,749
5042-5000	For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents determined to be medically-ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of children and families until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more appropriate for group care; and provided further, that funds shall be expended for the Child Psychiatry Access Project.....\$71,773,509
5046-0000	For adult mental health and support services; provided, that the department shall allocate funds in an amount not to exceed \$5,000,000 from item 5095-0015 to this item, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that jail diversion programs in operation and receiving funding from the department of mental health as of June 1, 2011 shall continue to receive funding in fiscal year 2012; and provided further, that the department shall report to the house and senate committees on ways and means on the distribution of funds per adult and child planning population and the types of services received in each region for fiscal year 2012, not later than February 1, 2012 .....\$329,285,802
5046-2000	For homelessness services .....\$20,134,424
5046-4000	For the department of mental health which may expend not more than \$125,000 in revenue collected from occupancy fees charged to the tenants in the creative housing option in community environments, the CHOICE program authorized by chapter 167 of the acts of 1987; provided, that all fees collected under that program shall be expended for the routine maintenance and repair of facilities in the CHOICE program .....\$125,000
5047-0001	For emergency service programs and acute inpatient mental health care services; provided, that the department shall continue an interagency service agreement with the executive office of health and human services for the purchase of services and for such other services as the agreement may provide; provided further, that the department shall require a performance specification to be developed for safe aftercare options for adults upon release from acute inpatient mental health care services; and provided further, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs.....\$35,122,197

5055-0000	For forensic services provided by the department; provided, that funds may be expended for Juvenile Court Clinics .....\$8,097,163
5095-0015	For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the decision in <i>Olmstead v. L.E.</i> 527 U.S. 581 and to enhance care for clients served by the department, the department shall discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: (a) the client is deemed clinically suited for a more integrated setting; (b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed facility; provided further, that the department may allocate funds in an amount not to exceed \$5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer for residential and day services for clients formerly receiving inpatient care at the centers and facilities; and provided further, that the department shall file a report with the secretary of administration and finance and the chairs of the house and senate committees on ways on or before December 31, 2011, detailing the procedure, implementation and timing for the closure of any existing inpatient hospital beds and shall include a determination of the capacity in the inpatient public mental health system to effectively and appropriately meet the needs of individuals suffering from mental illness and whether individuals are receiving timely access to state hospital beds .....\$146,732,857
5095-0017	For the department of mental health, which may expend not more than \$10,000,000 in revenue transferred to the General Fund from trust funds authorized in section 16 of chapter 19 of the General Laws; provided, that funds from this item may support inpatient or community services; provided further, that the department may allocate funds from this item to items 5046-0000 and 5095-0015 as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer; provided further, that the department of mental health shall submit a biannual report to the house and senate committees on ways and means and the joint committee on mental health and substance abuse detailing the services provided in this item, including but not limited to the number of clients who a) entered state inpatient facilities, b) were discharged from state inpatient facilities, and c) received community mental health services by service type; provided further, that all inpatient data shall be organized by facility; provided further, that the department shall submit the first report by February 1, 2012 and shall include data for the first six months of the fiscal year; and provided further, that the department shall submit the second report by August 1, 2012 and shall include data for the second six months of the fiscal year .....\$10,000,000

---

**Department of Developmental Services.**

5911-1003	For the administration and operations of the department of developmental services; provided, that the department shall not charge user fees for transportation or community day services; and provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications of requests for transfer of guardianship .....\$60,672,283
5911-2000	For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department .....\$11,641,431
5920-2000	For vendor-operated, community-based residential adult services, including intensive individual supports; provided, that annualized funding shall be expended for turning 22 clients who began receiving the services in fiscal year 2011 pursuant to item 5920-5000 of section 2 of chapter 131 of the acts of 2010; provided further, that the commissioner of the department of developmental services shall transfer funds from this item to item 5920-2010, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of said funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 30 days before any such transfer; and provided further, that not more than \$5,000,000 shall be transferred from this item in fiscal year 2012.....\$751,797,120
5920-2002	For court monitor costs in compliance with the terms of the Rolland settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide active services for class members .....\$400,000
5920-2010	For state-operated, community-based, residential services for adults, including community-based health services; provided, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item.....\$164,790,661
5920-2025	For community-based day and work programs for adults .....\$124,267,971
5920-3000	For respite services and intensive family supports; provided, that the department shall pursue the highest rates of federal reimbursement possible for such services .....\$41,004,298
5920-3010	For contracted support services for families with autistic children through the autism division at the department of developmental services; provided, that funds shall be expended for the purposes of providing services under the Children's Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than \$3,000,000 on the Children's Autism Spectrum Disorder Waiver; provided further, that at a minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive, including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services through the department of public health's early intervention program; provided further, that the income eligibility for the waiver shall not be any lower than MassHealth standard income eligibility for children; provided further, that the

department shall take all steps necessary to ensure that eligible children with autism immediately begin to receive services pursuant to such waiver; provided further, that the department shall immediately file any waiver amendments necessary to comply with the requirements of this item with the Centers for Medicare and Medicaid services; provided further, that the department shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities on the number of contracted support services provided for families with autistic children under this item and the costs associated with such services, not later than January 4, 2012; and provided further, that such report shall include, but not be limited to, the services provided by the Children's Autism Spectrum Disorder Waiver, with information regarding the number of children enrolled in the waiver and receiving services, linguistic and cultural diversity, age, gender and geographic representation of the applicants and the children enrolled in the program, and department plans to continue to assess the demand for waiver services, any executive office of health and human services plans to expand the waiver for children on the autism spectrum of all ages in the future and any other information determined relevant by the department; and provided further, that the department shall submit copies of any amended waiver to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities upon submission of the amendment.....\$4,621,177

5920-5000 For services to clients of the department who turn 22 years of age during state fiscal year 2012; provided, that the department shall report to the house and senate committees on ways and means not later than January 4, 2012, on the use of any funds encumbered or expended from this item including, but not limited to the number of clients served in each region and the types of services purchased in each region.....\$5,000,000

5930-1000 For the operation of facilities for individuals with intellectual disabilities; provided, that in order to comply with the decision in Olmstead v. L.E. 527 U.S. 581 and to enhance care for clients served by the department, the department shall discharge clients residing in intermittent care facilities for individuals with intellectual disabilities, in this item called ICF/MRs, to residential services in the community if the following criteria are met: (a) the client is deemed clinically suited for a more integrated setting; (b) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed ICF/MR; provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer for residential and day services for clients formerly receiving inpatient care at ICF/MRs; provided further, that the department shall

maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item; provided further, that at least 6 months prior to closing each of the aforementioned ICF/MRs, the secretary of housing and economic development or his designee and the commissioner of capital asset management and maintenance or his designee shall meet jointly with affected municipal officials and produce a plan for the timely demolition of buildings, remediation of hazardous materials and future use of the property, including disposition by the commonwealth for redevelopment or conservation, if appropriate; provided further, that the department shall report on all efforts to comply with the provisions of the Olmstead decision, the enhancement of care within available resources to clients served by the department and the steps taken to consolidate or close intermittent care facilities for persons with intellectual and developmental disabilities, in this item called ICF/MRs; provided further, that the department shall submit a progress report to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means on such initiatives by December 1, 2011, including both past actions and proposed future actions; provided further, that the department shall notify the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities 120 days prior to terminating community services provided at the Fernald Developmental Center, including but not limited to services provided at the Greene Pool; and provided further, that notwithstanding any general or special law to the contrary, the division of capital asset and management and maintenance shall, when providing for the disposition of the Fernald Developmental Center parcels, grant priority to bidders that demonstrate the ability and willingness to continue the operation of certain community service including, but not limited to, those provided at the Greene Pool.....\$142,156,836

5982-1000 For the department of developmental services which may expend not more than \$150,000 accrued through the sale of milk and other farm-related and forestry products at the Templeton Developmental Center for program costs of the center, including supplies, equipment, and maintenance of the facility; provided, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system .....\$150,000

#### **Board of Library Commissioners.**

---

7000-9101 For the operation of the board of library commissioners .....\$914,448

7000-9401 For state aid to regional public libraries; provided, that the board of library commissioners may provide quarterly advances of funds for purposes authorized by clauses (1) and (2) of section 19C of chapter 78 of the General Laws, as it considers proper, to regional public library systems throughout each fiscal year, in compliance with the

	office of the comptroller's regulations on state grants, 815 CMR 2; provided further, that notwithstanding any general or special law to the contrary, in calculating the fiscal year 2012 distribution of funds appropriated in this item, the board of library commissioners shall employ population figures used to calculate the fiscal year 2011 distribution; and provided further, that the board shall provide funds for the continued operation of a single regional library system to serve the different geographic regions of the commonwealth and requiring that physical locations be maintained in both eastern and western Massachusetts to serve the residents of those regions; and provided further, that notwithstanding any general or special law to the contrary, the library of the commonwealth shall receive not less than thirty-five and nine tenths cents for each resident of the commonwealth .....	\$9,131,475
7000-9402	For the talking book library at the Worcester public library .....	\$421,143
7000-9406	For the Braille and talking book library at Watertown, including the operation of the machine lending agency.....	\$2,241,016
7000-9501	For state aid to public libraries; provided, that notwithstanding any general or special law to the contrary, no city or town shall receive any money under this item in any year when the appropriation of the city or town for free public library services is below an amount equal to 102.5 per cent of the average of the appropriations for free public library service for the 3 years immediately preceding; provided further, that notwithstanding any general or special law to the contrary, the board of library commissioners may grant waivers in excess of the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General Laws in fiscal year 2012 for a period of not more than 1 year; provided further, that notwithstanding any general or special law to the contrary, of the amount by which this item exceeds the amount appropriated in chapter 194 of the acts of 1998, funds shall be distributed under the guidelines of the municipal equalization grant program, the library incentive grant program and the nonresident circulation offset program; and provided further, that any payment made under this item shall be deposited with the treasurer of the city or town and held in a separate account and shall be expended by the public library of that city or town without appropriation, notwithstanding any general or special law to the contrary .....	\$6,823,657
7000-9506	For the technology and automated resource sharing networks .....	\$1,929,238

---

## **EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.**

---

### **Office of the Secretary.**

---

7002-0010	For the operation of the office of the secretary of housing and economic development; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements .....	\$410,140
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------



7002-0017	For the provision of information technology services within the executive office of housing and economic development, including the homeless management information system.....	\$2,067,930
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

**Department of Housing and Community Development.**

---

7004-0001	For the commission on Indian affairs .....	\$99,010
-----------	--------------------------------------------	----------

7004-0099	For the operation of the department of housing and community development; provided, that notwithstanding any general or special law to the contrary, the department may make expenditures for the purposes of the department against federal grants for certain direct and indirect costs under a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system for the purpose of making these expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items 7004-9005, 7004-9024, 7004-9030, 7004-9033, 7004-9316 and items 7004-9009, 7004-9014, 7004-9019, 7004-9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, the department may require disclosure of the social security number of an applicant or tenant and members of the applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency to conduct this income verification; provided further, that notwithstanding any general or special law to the contrary, these state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting this income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in federally assisted housing programs and that of members of the participants' households; provided further, that for the purpose of clarification only, notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign and reloan funds received in repayment of loans made under the neighborhood housing services rehabilitation program; provided further, that the department shall, not later than September 1, 2011, reaffirm regulations clarifying that a household that otherwise qualifies for any preference or priority for state subsidized housing or rental assistance based on homeless or at-risk status shall retain
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

that preference or priority notwithstanding receipt of rental assistance that is intended to be temporary including, but not limited to, any temporary or bridge subsidies provided with state or federal funds; provided further, that the department shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; provided, however, that the information is provided in a manner that meets all applicable federal and state privacy and security requirements; provided further, that not less than \$100,000 shall be expended to the town of Holbrook for a one-time community action grant which will fund an upgrade to town facilities; and provided further, that not less than \$175,000 shall be expended annually for provisions of emergency services that provide domestic violence intervention, workforce development, housing assistance, foreclosure prevention assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Inc. for the communities of Chelsea, Revere and Winthrop .....\$6,742,317

7004-0100 For the operations of the homeless shelter and services unit, including the compensation of caseworkers and support personnel .....\$4,970,557

7004-0101 For certain expenses of the emergency assistance program pursuant to section 30 of chapter 23B of the General Laws as follows: (i) contracted family shelters; (ii) congregate emergency housing programs; provided, that eligibility shall be limited to families with income at or below 115 per cent of the 2009 or later-issued higher federal poverty level; provided further, that any family whose income exceeds 115 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible or assistance due to exceeding the income limit for a period of 6 months from the date that the 115 per cent level was exceeded; provided further, that preventative services shall be administered by the department of housing and community development and shall be provided on a first-come, first-serve basis; provided further, that the department shall include landlord/tenant mediation, legal assistance to prevent eviction, and housing search stabilization services; provided further, that amounts for aforementioned services shall not impair the department's ability to sign adequate shelter contracts; provided further, that those families that shall be eligible for assistance through a temporary emergency family shelter shall include (a) families that there are at risk of domestic abuse in their current housing situation; (b) families that, through no fault of their own, are homeless due to fire or natural disaster; and (c) those families with a head of household 21 years and younger which shall be served through a young families congregate housing program; provided further, that such facilities shall not be subject to licensing requirements of the executive office of health and human services; provided further, that a family, who receives emergency housing assistance due to domestic abuse, shall be connected to the appropriate social service agency; provided further, that families may receive temporary assistance from this item to compensate for timing placement issues with item 7004-0108; provided further, temporary assistance under this item shall be terminated upon the offer of available housing or housing assistance necessary to maintain housing under 7004-0108; provided further, a family may not decline

an offer for available housing or housing assistance necessary to maintain housing provided that the offer adequately accommodates the size and disabilities of the family and the new housing placement shall not result in a job loss for the client; provided further, any family that declines an adequate offer of available housing or housing assistance necessary to maintain housing shall become ineligible for assistance from this item; provided further, that any family receiving benefits pursuant to section 30 of chapter 23B as of June 30, 2011 shall not become ineligible for temporary emergency family shelter benefits if any such family in which the head of household is more than 21 years of age shall transfer to the short-term housing transition program, as such assistance becomes available, and any such family in which the head of household is not more than 21 years of age shall transfer to a young families congregate housing facility, as such facilities become available; provided further, that the department shall establish reasonable requirements for such families to escrow a portion of their income; provided further, that the escrowed funds shall be exempt from otherwise applicable asset limits; provided further, that the family may withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of the law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse of the emergency assistance program, including a wage match agreement with the department of revenue; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that an eligible household that is approved for shelter placement shall be placed in a shelter as close as possible to the household's home community unless a household requests otherwise; provided further, that if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date unless the household requests otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any non-shelter benefit; provided further, that the department shall make every effort to ensure that children receiving services from this item shall continue attending school in the community in which they lived prior to receiving services funded from this line item; provided further, that should a family with a child under the age of 3 be placed in a hotel or motel, the department of housing and community development shall ensure that the hotel or motel provides a crib for each child under the age of 3 that meets all the state and federal safety codes; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be ineligible for such shelter based on statements provided by the family and any other information in the possession of the department, but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation providing that family who previously received shelter is

ineligible for shelter benefits for a period of 12 months; provided further, that families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to chapter 23B of the General Laws; provided further, that the department shall not impose unreasonable requirements for third-party verification and shall accept verifications from a family whenever reasonable; provided further, that the department shall use its best efforts to ensure that a family placed by the emergency assistance program shall be provided with access to refrigeration and basic cooking facilities; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility restrictions or benefit reductions, the undersecretary shall file with the house and senate committees on ways and means that the clerks of the senate and house of representatives a determination by the secretary of housing and economic development that available appropriations from the program will be insufficient to meet projected expenses and a report setting for such proposed changes; provided further, that any amounts appropriated in this item may be transferred to item 7004-0108 upon the approval of the secretary of administration and finance; provided further, the department shall notify the chairs of house and senate committees on ways and means of any transfer within 15 days; provided further, that any transfer of funds shall not leave this item in a projected deficit; provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means, detailing the number of families transitioned from shelter benefits to affordable, subsidized or otherwise assisted housing through this program; provided further, the report shall include the average, minimum and maximum cost per family of such assistance, the number of families served who required further assistance at a later date, the type of assistance later required and provided, and the current housing stability of each family who received transitional housing or short-term housing assistance within the prior 12 months; provided further, that no funds shall be expended for personnel or administrative costs; provided further, that no funds shall be expended for costs associated with the homeless management information system; and provided further, the department of housing and community development shall notify local school departments of the placement of a family in its district within 5 days of placement.....\$97,797,200

7004-0102 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide shelter, transitional housing and services that help individuals avoid entry into shelter or successfully exit shelter; provided, that no organization providing services to the homeless shall receive less than an average per bed/per night rate of \$20; provided further, that the department may allocate funds to other agencies for the purposes of this program; provided further, that no funds shall be expended for costs associated with the homeless management information system; and provided further, that programs that currently provide shelter may renegotiate how they will use their shelter fund, with the agreement of the department and the host cities or towns, to provide alternative services that have proven to be effective including housing first models, transitional housing and diversion away from shelters .....\$37,733,331

7004-0104 For the home and healthy for good program operated by the Massachusetts Housing and Shelter Alliance for the purpose of reducing the incidence of chronic homelessness in the commonwealth; provided, that the Massachusetts Housing and Shelter Alliance shall be solely responsible for the administration of this program; provided further, that the Massachusetts Housing and Shelter Alliance shall file a report with the clerks of the house and senate, the undersecretary of the department of housing and community development and the chairs of the house and senate committees on ways and means not later than March 1, 2012, the number of people served, the average cost per participant, the demographics of those served, whether participants have previously received government services and any projected cost-savings in other state-funded programs .....\$1,200,000

7004-0108 For a program of short-term housing assistance for: (i) families eligible for temporary emergency shelter under section 30 of chapter 23B of the General Laws and; (ii) families eligible for temporary emergency shelter under section 30 of chapter 23B, but for the fact that they are imminently at risk of becoming homeless; and (iii) families in which the head of household is not more than 21 years of age at the time of application for assistance and who have exited a young families congregate shelter funded under item 7004-0101; provided, that the assistance provided under this item shall include housing stabilization and economic self-sufficiency case management services for each family receiving benefits hereunder; provided further, that the assistance may include, but shall not be limited to: payments of rent and utility arrears; a portion of the household's monthly rent, first month's rent, last month's rent, security deposit, utility charges, extraordinary medical bills, so long as such assistance will maintain housing for the family, and shall include immediate temporary housing arrangements for families without alternative feasible housing; provided further, that assistance towards a portion of the household's monthly rent shall be an eligible use of funds hereunder only in the event that the monthly rent for the housing does not exceed 80 per cent of the fair market rent for such housing, as determined in accordance with the U.S. Department of Housing and Urban Development; provided further, that the department shall allow for a higher monthly rent in the event that a household already housed, that is transitioning to this program from another time-limited assistance program, would be displaced due to the restriction on fair market rent; provided further, that the department may exceed 80 per cent of the fair market rent if the department determines that such placement is cost-effective and meets the short-term housing needs of eligible families in a timely manner; provided further, that eligible families shall pay no more than 35 per cent of household income towards rent and utilities; provided further, that a family's eligibility for assistance provided hereunder shall not exceed a period of 36 successive months from the date the family receives assistance hereunder, not including time spent in temporary accommodations; provided further, that a family that is terminated from the program because it has received 36 successive months of assistance shall not be able to receive assistance hereunder for 12 months from the last date it received assistance through this program; provided further, that for the initial

12 month period for which the family receives assistance hereunder, payments shall not exceed: (1) \$4,000; or (2) if assistance is used for a portion of the household's monthly rent and utility costs, the difference between 35 per cent of household income and the monthly cost of rent and utilities for such housing; provided further, that administering agency shall also be able to make payments toward temporary accommodations for the family prior to the family securing a rental housing unit with assistance hereunder; provided further, that such assistance shall be reduced by: (1) 5 per cent for each of the next 12-month periods for which the family receives assistance hereunder, or (2) such lesser amount as maintains the eligible family's contribution towards rent and utilities at not more than 35 per cent of household income; provided further, that the continued eligibility of the family shall be determined on an annual basis; provided further, that a family shall not be deemed ineligible as a result of any single violation of a self-sufficiency plan; provided further, that a family that exceeds the income eligibility criteria pursuant to section 30 of chapter 23B of the General Laws shall be eligible for continued assistance hereunder so long as they meet the requirements of their housing stabilization plan and do not exceed 50 per cent of area median income; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse in the short-term housing transition program including a wage match agreement with the department of revenue; provided further, that a family that did not make a good faith effort to secure an apartment or did not make a good faith effort to follow their housing stabilization plan during the term of their assistance shall be ineligible for benefits pursuant to said section 30 of said chapter 23B and short-term housing transition benefits for a period of no more than 24 months from the later of the date upon which the family exits a temporary emergency family shelter or a monthly rental assistance payment is made to or on behalf of the family or 12 months for a family that received assistance only for rent arrears, utility charges or extraordinary medical bills; provided further, that no family with a head of household who is over 60 years of age or who is disabled and who is in compliance with the requirements of a housing stabilization plan that accommodates disabilities shall be denied short-term housing assistance; provided further, that any such family with a head of household who is over 60 years of age or who is disabled shall not have engaged in, or be engaged in, any activity that threatens the health, safety or security of the family, other program participants or program staff; provided further, that families receiving benefits under this program who are found not to be eligible for continuing benefits shall be eligible for aid pending a timely appeal pursuant to said chapter 23B; provided further, that families who are denied assistance under this item may appeal pursuant to said chapter 23B, including subsection (F) of section 30, and regulations adopted to implement said chapter 23B; provided further, that the department, as a condition of continued eligibility for assistance pursuant to this program, may require disclosure of social security numbers by all members of a family in the Massachusetts short-term housing transition program for use in verification of income with other

agencies, departments and executive offices; provided further, that any family in which a member of the family shall fail to provide a social security number for use in verifying the family's income and eligibility shall no longer be eligible to receive benefits from the short-term housing transition program; provided further, that the department shall administer the short-term housing transition program through the following agencies unless and until administering agencies are otherwise procured by the department: Berkshire Housing Development Corp., Central Massachusetts Housing Alliance, Community Teamwork, Inc., Housing Assistance Corp., Franklin County Housing and Redevelopment Authority, Hap, Inc., Metropolitan Boston Housing Partnership, LHAND, South Middlesex Opportunity Council, Inc., South Shore Housing Development Corporation and RCAP Solutions, Inc; provided further, that the department of housing and community development shall reallocate financing based on performance based statistics from under-performing service providers to above average service providers in order to move as many families from hotel, motels, or shelters into more sustainable housing; provided further, that the department shall use funds provided for this program for stabilization workers to focus efforts on housing retention, and link households to supports including job training, education, job search, and childcare opportunities available and may enter into agreements with other public and private agencies for the provision of such services, and that a stabilization worker shall be assigned to each household; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item; provided further, that the department shall promulgate regulations for the short-term housing transition program; provided further, that not less than \$3,500,000 shall be expended to directly reduce the usage of shelter, including hotels and motels, by the emergency assistance program; provided further, that funds shall be used to transition families served by the program to more rapidly move them into temporary or permanent sustainable housing; provided further, that the department shall submit bi-annual reports to the house and senate committees on ways and means, which shall include the number of families served, the type of assistance given, the number of families assisted through this program, the average, minimum and maximum cost per family of such assistance and the current housing stability of each family who received assistance within the prior 12 months and shall include the status of the implementation of this program and any obstacles encountered; and provided further, that beginning October 1, 2011, the department shall report on a quarterly basis to the chairs of the joint committee on housing and the joint committee on children, families and persons with disabilities, the number of families, from each local department office, who are ineligible for further assistance by operation of the 24-month and 12-month restrictions in this item.....\$38,561,732

7004-3036

For housing services and counseling; provided, that funds shall be expended as grants to 9 regional housing consumer education centers operated by the regional nonprofit housing authorities; provided further, that the grants shall be awarded through a competitive application process under criteria created by the

	<p>department; provided further, that the department shall submit annual reports to the secretary of administration and finance, the house and senate committees on ways and means and the joint committee on housing detailing all expenditures of the program, including each regional housing consumer education center, the total number of persons who received information and referral services, the costs for such services rendered per consumer and the identification of consumer issues and trends; provided further, that the department shall report to the house and senate committees on ways and means not later than March 1, 2012 on possible savings and efficiencies that may be realized through the consolidation of said services; and provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees .....</p>	\$1,495,996
7004-3045	<p>For a tenancy preservation program for neutral party consultation services in eviction cases before the housing court department of the Massachusetts trial court for individuals with disabilities and for families that contain individuals with disabilities if the disability is directly related to the reason for eviction.....</p>	\$250,000
7004-4314	<p>For the expenses of a service coordinators program established by the department to assist tenants residing in housing developed pursuant to sections 39 and 40 of chapter 121B of the General Laws to meet tenancy requirements in order to maintain and enhance the quality of life in that housing .....</p>	\$350,401
7004-9005	<p>For subsidies to housing authorities and nonprofit organizations including funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws; provided, that notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age or older as of June 30, 2011, receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department may expend funds appropriated in this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the amount appropriated in this item shall be considered to meet any and all obligations under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2012 eligible for subsidies under this item shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; provided further, that all funds in excess of normal utilities, operations and maintenance costs may be expended for capital repairs; and provided further, that the administration shall make every attempt to direct efforts toward rehabilitating local housing authority family units requiring \$10,000 or less in repairs .....</p>	\$62,500,000



7004-9024

For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program to be known as the Massachusetts rental voucher program; provided further, that the income of the households shall not exceed 200 per cent of the federal poverty level; provided further, that the department may award mobile vouchers to eligible households currently occupying project-based units that shall expire due to the nonrenewal of project-based rental assistance contracts; provided further, that the department, as a condition of continued eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that any household in which a participant or member of a participant's household shall fail to provide a social security number for use in verifying the household's income and eligibility shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall be set by the department based on considerations, including, but not limited to, family size, composition, income level and geographic location; provided further, that notwithstanding any general or special law to the contrary, the monthly dollar amount of each voucher shall be the department-approved total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that notwithstanding any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of the mobile vouchers or the project-based units; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 month's rent during any 1-year lease period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, a mobile voucher whose use is or has been discontinued shall be re-assigned within 90 days; provided further, that the department shall pay agencies \$32.50 per voucher per month for the costs of administering the program; provided further, that subsidies shall not be reduced for the cost of accommodating the cost of the inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a project-based voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent, and each household holding a mobile voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent; provided further, that the department shall establish the amounts of the mobile vouchers and the project-based vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which shall cause it to exceed the appropriation set forth in this item; provided further, that the households holding mobile vouchers shall have priority for occupancy of the project-based dwelling units in the event of a vacancy; provided further, that the department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such

obligations may include, but shall not be limited to, job training, counseling, household budgeting and education, as defined in regulations promulgated by the department and to the extent these programs are available; provided further, that each participant shall be required to undertake and meet these contractually established obligations as a condition for continued eligibility in the program; provided further, that for continued eligibility, each participant shall execute this 12-month contract on or before September 1, 2011, if the participant's annual eligibility recertification date occurs between June 30, 2011 and September 1, 2011, and otherwise on or before the annual eligibility recertification date; provided further, that any participant who is over the age of 60 years or who is disabled may be exempted from any obligations unsuitable under particular circumstances; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the department may assist housing authorities, at their written request, in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low-income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; and provided further, that the department of housing and community development shall strive to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2011 .....\$36,000,000

7004-9030

For the transitional rental assistance program established under section 16 of chapter 179 of the acts of 1995; provided, that notwithstanding any general or special law to the contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided further, that the vouchers shall be in varying dollar amounts set by the department based on considerations including, but not limited to, household size, composition, household income and geographic location; provided further, that any household which is proven to have caused intentional damages to its rental unit in an amount exceeding 2 months' rent during any 1 year shall be terminated from the program; provided further, that the department shall pay agencies that administer this program an allowance not to exceed \$25 per voucher per month for the costs of administration; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, but each household shall be required to pay not less than 25 per cent of its net income, as defined in regulations promulgated by the department, for units if payment of utilities is not provided by the unit owner, or not less than 30 per cent of its income for units if payment of utilities is provided by the unit owner; provided further, that payments for the transitional rental assistance may be provided in advance; provided further, that the department shall establish the amounts of the mobile vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which will cause it to exceed the

appropriation set forth in this item; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word rent, as used in this item, shall mean payments to the landlord or owner of a dwelling unit under a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel and electricity; provided further, that the department shall submit an annual report to the secretary of administration and finance, and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers and the number and types of units leased; provided further, that consistent with chapter 179 of the acts of 1995, the amount appropriated in this item shall not annualize to more than \$4,000,000 in fiscal year 2013; and provided further, that the program shall provide funding for not more than 800 mobile vouchers .....\$3,450,000

7004-9033 For rental subsidies to eligible clients of the department of mental health; provided, that the department shall establish the amounts of such subsidies so that payment thereof and of any other commitments from this item shall not exceed the amount appropriated herein .....\$4,000,000

7004-9315 For the department of housing and community development which may expend for the administration and monitoring of the low-income housing tax credit and local administration programs an amount not to exceed \$2,323,853 from revenue collected from fees collected under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of administering and monitoring the programs, including the costs of personnel, subject to the approval of the director of the department; provided, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$2,323,853

7004-9316 For a program to provide assistance for homeless families moving into subsidized or private housing and families at risk of becoming homeless due to a significant reduction of income or increase in expenses; provided, that the amount of financial assistance shall not exceed \$2,500 per family; provided further, that funds may be used for security deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility arrearages incurred on or after December 1, 2011; provided further, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies; provided further, that no assistance shall be provided to any family with an income in excess of 50 per cent of the area median income; provided further, that prior to authorizing a residential assistance payment for a family, the non-profit housing agency shall make a finding that the family experienced a significant reduction of income or increase in expenses and has secured new income or a change in circumstances and that the payment will enable the family to retain

its current housing, obtain new housing or otherwise avoid homelessness; provided further, that in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a presumption that the payment will enable a family to retain its housing, obtain new housing or otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its income for that housing; provided further, that a family who is paying more than 50 per cent of its income for its housing shall be provided a fair opportunity to establish that a residential assistance payment will enable it to retain its housing, obtain new housing or otherwise avoid homelessness; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments who the agencies determine would benefit from these services to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; provided further, that the program shall be administered under guidelines established by the department; and provided further, that the department shall provide a status report to the secretary of administration and finance and the house and senate committees on ways and means not later than March 1, 2012, that includes, but is not limited to, all program expenditures, the number of recipients of the funds, the housing status of the recipients before and after receiving assistance, the purposes for which each family used the assistance, the administrative costs and other related costs of the program, including whether such recipient resided or continues to reside in state or federal public housing and any other information necessary to determine the effectiveness of the program .....\$260,000

#### **Office of Consumer Affairs and Business Regulation.**

---

7006-0000	For the office of the director of consumer affairs and business regulation, including expenses of an administrative services unit.....\$768,208
7006-0043	For the office of consumer affairs which may expend for the administration and enforcement of the home improvement contractor program an amount not to exceed \$500,000 from the revenue collected from fees for the registration and renewal of home improvement contractor registrations under section 11 of chapter 142A of the General Laws; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system .....\$500,000

#### **Division of Banks.**

---

7006-0010	For the operation of the division of banks; provided, that notwithstanding any general or special law to the contrary, the division shall assess 100 per cent of the amount appropriated in this
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

item, and the associated fringe benefits costs for personnel paid from this item, upon financial institutions which the division currently regulates under section 2 of chapter 167 of the General Laws.....\$13,203,351

7006-0011 For the costs incurred by the division of banks associated with licensure of loan originators pursuant to chapter 255F of the General Laws; provided, that the division may expend revenues in an amount not to exceed \$2,650,000 from the revenue received from administrative fees associated with the licensure fees and from civil administrative penalties pursuant to said chapter 255F; provided further, that the division may expend from such revenue an amount to be determined by the commissioner of banks as grants for the operation of a program for best lending practices, first-time homeowner counseling for non-traditional loans and 10 or more foreclosure education centers pursuant to section 16 of chapter 206 of the acts of 2007, and that the grants shall be awarded through a competitive application process under criteria created by the division; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commissioner may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system.....\$2,650,000

#### **Division of Insurance.**

---

7006-0020 For the operation of the division of insurance, including the expenses of the board of appeal on motor vehicle policies and bonds and the associated fringe benefits costs for personnel paid from this item and certain other costs of supervising motor vehicle liability insurance and the expenses of the fraudulent claims board; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item, and the associated fringe costs of personnel paid from this item, shall be assessed upon the institutions which the division currently regulates under general or special laws or regulations, except for licensed business entity producers; and provided further, that the assessment shall be in addition to any and all assessments currently assessed upon the institutions.....\$11,731,274

7006-0029 For the operation of the health care access bureau of the division of insurance; provided, that under section 7A of chapter 26 of the General Laws, the full amount appropriated in this item, as well as the associated fringe benefits costs for personnel paid from this item, shall be assessed upon the carriers licensed under chapters 175, 176A, 176B and 176G of the General Laws.....\$1,100,000

#### **Division of Professional Licensure.**

---

7006-0040 For the operation and administration of the division of professional licensure; provided, that the division shall at all times employ not less than 2 hearing officers to facilitate the processing of cases pending before the various boards.....\$2,272,285

7006-0110	For the operation of the state racing commission .....	\$1,600,253
7006-0140	For distribution to each city and town within which racing meetings are conducted under section 18D of chapter 58 of the General Laws .....	\$1,150,000
7006-0151	For the division of professional licensure which may expend for the oversight of proprietary schools an amount not to exceed \$540,123; provided, that no expenditures made in advance of the receipts shall be permitted to exceed 50 per cent of the amount of revenues projected by the first quarterly statement required by section 1B .....	\$540,123

#### **Division of Standards.**

---

7006-0060	For the operation of the division of standards .....	\$700,397
7006-0066	For the support of the division of standards' municipal inspection efforts; provided, that up to 15 per cent of the amount appropriated herein may be expended for administrative costs of the division .....	\$160,372
7006-0067	For the division of standards; provided, that the division may expend for enforcement of weights and measures laws an amount not to exceed \$58,751 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measures fees and fines collected from cities and towns .....	\$58,751
7006-0068	For the division of standards; provided, that the division may expend an amount not to exceed \$360,000 from revenue received from license fees assessed to owners of motor vehicle repair shops .....	\$360,000

#### **Department of Telecommunications and Cable.**

---

7006-0071	For the operation of the department of telecommunications and cable; provided, that notwithstanding the second sentence of section 7 of chapter 25C of the General Laws, the assessments levied for fiscal year 2012 under this section shall be made at a rate sufficient to produce 100 per cent of the amount appropriated in this item, and the associated fringe benefits costs for personnel paid from this item .....	\$2,703,732
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

#### **Massachusetts Office of Business Development.**

---

7007-0150	For the Massachusetts office of business development for contracts with regional economic development organizations under the program established by section 3J and 3K of chapter 23A of the General Laws, prior appropriation continued .....	\$450,000
7007-0300	For the operation of the Massachusetts office of business development, which shall include the operation and support of capital grants programs, including the Massachusetts Opportunity Relocation and Expansion Jobs Capital Program established in chapter 123 of the acts of 2006, and for marketing and promoting the commonwealth in order to attract and retain targeted businesses and industries .....	\$1,624,028
7007-0500	For the operation and maintenance of the Massachusetts biotechnology research institute for the purpose of promoting the	

	commercialization of new, academic-based research and development, and raising the scientific awareness of the communities of the commonwealth .....	\$200,000
7007-0800	For a grant for the state match for a small business development center; provided, that no funds shall be expended from this item until such time as the United States Small Business Administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than \$300,000 from this item shall be expended for federal procurement technical assistance services within said center; provided further, that the services shall include, but not be limited to, assisting businesses in securing federal contracts, obtaining contract financing, generating responses to requests-for-proposals, interpreting bid documents, providing educational workshops and seminars and for the electronic identification and tracking of federal bid opportunities; provided further, that funds expended for the purpose of operating federal procurement technical assistance services within said center shall be subject to the receipt of matching funds from federal or private sources, including the United States Department of Defense; and provided further, that annual expenditure reports shall be filed with the house and senate committees on ways and means .....	\$704,286
7007-0801	For microlending grants of up to \$100,000 to be issued to established Community Development Financial Institutions making direct microenterprise and small business loans to borrowers on a regional basis, as well as providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds will be used to support the eligible organization's lending and technical assistance activities.....	\$200,000
7007-0802	For the Year Up, Inc. program to provide employment, training and job placement through a 1-year program for young urban adults ages 18 to 24 that combines an internship with college credits and a stipend, so long as the program demonstrates at least a 6:1 private match and has a proven record of achieving at least an 80 per cent positive outcome within 6 months after graduation, defined by either a first job earning \$30,000 or full-time enrollment in college.....	\$100,000
7007-0951	For the operation of the commonwealth zoological corporation pursuant to chapter 92B of the General Laws; provided, that funds appropriated in this item shall be expended for the purposes of promoting private fundraising, achieving self-sufficiency and serving as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that funding in this item may not be transferred through interdepartmental service agreements; provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2012, on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan, dated	

December 1996; and provided further, that not less than \$750,000 shall be expended on a matching program to encourage private and corporate donations to support the Franklin Park Zoo and Stone Zoo .....\$3,500,000

Massachusetts Tourism Fund ..... 100%

---

**Massachusetts Marketing Partnership.**

---

7008-0900 For the operation and administration of the office of travel and tourism; provided, that the office shall be the official and lead agency to facilitate and attract major sports events and championships in the commonwealth; provided further, that the office shall be the official and lead agency to facilitate motion picture production and development within the commonwealth; provided further, that funds appropriated within this item shall also be used for financial assistance to local tourist councils under section 14 of chapter 23A of the General Laws; and provided further, that not less than \$200,000 shall be expended as grants for the Bay State Games.....\$1,988,167

Massachusetts Tourism Fund ..... 100%

7008-1000 For assistance to regional tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law or rule or regulation to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services.....\$6,000,000

Massachusetts Tourism Fund ..... 100%

7008-1300 For the operation of the Massachusetts international trade office .....\$100,000

Massachusetts Tourism Fund ..... 100%

---

**EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.**

---

---

**Office of the Secretary.**

---

7003-0100 For the operation of the executive office of labor and workforce development, provided, that not later than January 3, 2012, the executive office of labor and workforce development shall submit to the house and senate committees on ways and means and the joint committee on labor and workforce development a report describing the job training services, including labor exchange, skills training and remedial education services related thereto which have been provided during the course of the fiscal year, systems for delivery, and the costs and the sources of revenue for such services .....\$726,875

7003-0170 For the provision of information technology services within the executive office of labor and workforce development .....\$240,284

---

**Department of Career Services.**

---

7002-0012 For a youth-at-risk program targeted at reducing juvenile delinquency in high risk areas; provided, that these funds may be expended for



	the development and implementation of a year-round employment program for at-risk youth as well as existing year-round employment programs; provided further, that \$500,000 of these funds shall be matched by private organizations; and provided further, that funds shall be available for expenditure through September 1, 2012; prior appropriation continued .....	\$3,000,000
7003-0605	For the operation and maintenance of the Massachusetts manufacturing extension partnership for the purpose of maintaining and promoting manufacturing as an integral part of the economy and for programs designed to assist small and mid-sized manufacturing companies .....	\$325,000
7003-0702	For the Massachusetts Service Alliance to administer State Service Corps grants and provide training and support to volunteer and service organizations; provided, that not less than \$250,000 shall be expended for the New England Farm Workers Council; provided further, that not less than \$500,000 shall be expended for the Urban League of Eastern Massachusetts; provided further, that programs that develop, promote and protect Latino businesses and communities in Massachusetts that were funded in the fiscal year 2010 general appropriations act shall receive the same level of funding as appropriated to said program in item 7003-0702 in chapter 27 of the acts of 2009; and provided further, that not less than \$25,000 shall be expended for programs supporting and promoting cultural heritage diversity, and education in the city of Boston that were in item 7007-0900 in chapter 182 of the acts of 2008 .....	\$1,350,000
7003-0803	For the one-stop career centers .....	\$4,494,467

#### **Department of Labor Standards.**

---

7003-0200	For the operation of the department of labor standards; provided, that positions for a program to evaluate asbestos levels in public schools and other public buildings shall not be subject to chapter 31 of the General Laws; and provided further, that \$267,909 shall be made available to fund the division of apprenticeship training .....	\$1,920,041
7003-0201	For the department of labor standards; provided, that the department may expend an amount not to exceed \$452,850 received from fees authorized under section 3A of chapter 23 of the General Laws and civil fines issued under section 197B of chapter 111 of the General Laws, section 46R of chapter 140 of the General Laws and section 6F1/2 of chapter 149 of the General Laws .....	\$452,850

#### **Department of Industrial Accidents.**

---

7003-0500	For the operation and administrative expenses of the department of industrial accidents; provided, that said department shall submit a report not later than February 1, 2012 to the house and senate committees on ways and means detailing the scope, objective and results of grant recipients' safety training program; and provided further, that the General Fund shall be reimbursed the amount appropriated in this item and for associated indirect and direct fringe	
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

benefit costs from assessments levied pursuant to section 65 of  
chapter 152 of the General Laws .....\$19,106,544

---

**Department of Labor Relations.**

---

7003-0900 For the operation of the department of labor relations .....\$1,805,890

7003-0901 For the department of labor relations which may expend for the  
operation of the department an amount not to exceed \$100,000 from  
fees collected under section 3B of chapter 7 of the General Laws or  
section 6 of chapter 150 of the General Laws; provided, that the first  
\$100,000 of such fees collected by the department shall be  
deposited into the General Fund and any fees collected in excess of  
\$200,000 shall be deposited into the General Fund; and provided  
further, that notwithstanding any general or special law to the  
contrary, for the purpose of accommodating discrepancies between  
the receipt of retained revenues and related expenditures, the  
department may incur expenses and the comptroller may certify for  
payment amounts not to exceed the lower of this authorization or the  
most recent revenue estimate, as reported in the state accounting  
system .....\$100,000

---

**EXECUTIVE OFFICE OF EDUCATION.**

---

---

**Office of the Secretary of Education.**

---

7009-1700 For the operation of information technology services within the  
executive office of education .....\$7,800,454

7009-6379 For the operation of the office of the secretary of education;  
provided, that agencies within the executive office may, with the prior  
approval of the secretary, streamline and improve administrative  
operations under interdepartmental service agreements .....\$726,986

---

**Department of Elementary and Secondary Education.**

---

7010-0005 For the operation of the department of elementary and secondary  
education .....\$12,767,009

7010-0012 For grants to cities, towns and regional school districts for payments  
of certain costs and related expenses for the program to eliminate  
racial imbalance established under section 12A of chapter 76 of the  
General Laws; provided, that funds shall be made available for  
payment for services rendered by METCO, Inc. and Springfield  
public schools; provided further, that the secretary of education shall  
report, no later than July 1, 2012, to the house and senate  
committees on ways and means on student achievement growth by  
METCO students relative to their peers in both sending and receiving  
districts and on the academic success of former METCO students  
who attended two and four year public colleges and universities in  
the commonwealth relative to their peers from both sending and  
receiving districts at said public institutions of higher education;  
including enrollment in remedial coursework, grade point averages,  
and college graduation rates; and provided further, that METCO,

	Inc., shall make available to the secretary of education information necessary to complete said report .....	\$17,642,582
7010-0020	For the Bay State Reading Institute; provided, that the program shall be administered under contract to Middlesex Community College in programmatic collaboration with Framingham State University and Fitchburg State University; provided further, that the Institute shall provide literacy based intervention in districts and schools found by the department of elementary and secondary education to be at levels 3, 4, and 5 with preference for schools and districts at levels 4 and 5 in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that the student evaluations shall be compared to measurable goals and benchmarks that have been developed in consultation with the school-based planning team; provided further, that funds appropriated in this item for this initiative may be expended through June 30, 2013; and provided further, that the bay state reading institute shall provide to the house and senate committees on ways and means and the joint committee on education a report detailing, by school, program success in meeting measurable goals and benchmarks .....	\$400,000
7010-0033	For literacy and early literacy programs; provided, that these programs shall provide ongoing evaluation of the outcomes thereof; provided further, that programs receiving funding through this item shall document the outcomes of evaluations; provided further, that evaluations shall be compared to measurable goals and benchmarks that shall be developed by the department; and provided further, that programs receiving funds from this item shall provide to the department, the house and senate committees on ways and means and the joint committee on education, an annual report detailing program success in meeting measurable goals and benchmarks .....	\$3,147,940
7027-0019	For school-to-career connecting activities; provided, that notwithstanding any general or special law to the contrary, the board of elementary and secondary education, in cooperation with the department of workforce development and the state workforce investment board, may establish and support a public-private partnership to link high school students with economic and learning opportunities on the job as part of the school-to-work transition program; provided further, that such program may include the award of matching grants to workforce investment boards or other local public-private partnerships involving local community job commitments and work site learning opportunities for students; provided further, that the grants shall require at least a 200 per cent match in wages for the students from private sector participants; provided further, that the program shall include, but not be limited to, a provision that business leaders commit resources to pay salaries, to provide mentoring and instruction on the job and to work closely with teachers; provided further, that public funds shall assume the costs of connecting schools and businesses to ensure that students serve productively on the job; and provided further, that no funds shall be expended for personnel costs, prior appropriation continued.....	\$750,000
7027-1004	For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in	

chapter 71A of the General Laws; provided, that the department shall only approve professional development courses and offerings with proven, replicable results in improving teacher performance, and which shall have demonstrated the use of best practices as determined by the department, including data comparing pre-training and post-training knowledge; provided further, that the department shall, not later than February 15, 2012, provide a report on the number of educators who have received such training since passage of said chapter 71A, the estimated number who need such additional training, a review and analysis of the most effective types of professional development and the most common gaps in the knowledge base of educators implementing English immersion and teaching English language acquisition, along with legislative or regulatory recommendations of the department; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that funds may be expended through August 31, 2012; and provided further, that no funds shall be expended for personnel costs .....\$364,937

7028-0031 For the expenses of school age children in institutional schools under section 12 of chapter 71B of the General Laws; provided, that the department may provide special education services to eligible inmates in county houses of correction; provided further, that the department of youth services shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department of elementary and secondary education, in conjunction with the commissioner of youth services, shall submit a report on progress made on the reintegration of these youth and the alignment of the department of youth services curriculum to the house and senate committees on ways and means not later than December 1, 2011 .....\$7,345,373

7030-1002 For kindergarten expansion grants to provide grant awards to continue quality enhancement of existing full-day kindergarten classrooms and to encourage transition of half-day kindergarten classrooms into full-day kindergarten classrooms; provided, that the department shall administer a grant program to encourage the voluntary expansion of high quality, full-day kindergarten education throughout the commonwealth; provided further, that grants funded through this appropriation shall not annualize to more than \$18,000 per classroom in subsequent fiscal years; provided further, that preference shall be given to grant applicants with high percentages of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system exam, as determined by the department based on available data; provided further, that any grant funds distributed from this item shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided

further, that such program shall supplement and shall not supplant currently funded local, state and federal programs at the school or district; provided further, that not later than January 17, 2012, the department shall report to the house and senate committees on ways and means on the total number of grants requested and awarded; provided further, that the report shall detail common factors associated with both successful and unsuccessful applications and shall include the total number of full-day and half-day kindergarten classrooms projected to be in operation in public schools in fiscal year 2013; provided further, that the commissioner of elementary and secondary education shall have discretion to grant funds for new programs to transition from half-day to full-day kindergarten; provided further, that all kindergarten programs previously funded through community partnership councils at the department of early education and care may receive grants from this item in amounts equal to the amounts they received in fiscal year 2011, reduced in proportion to the overall reduction of this item from fiscal year 2011 to fiscal year 2012; and provided further, that no funds shall be expended for personnel costs .....\$22,948,947

7030-1005 For Reading Recovery, a one-to-one, early intervention, individual tutorial literacy program designed as a pre-special education referral and short-term intervention for children who are at risk of failing to read in the first grade; provided, that said program shall provide ongoing documentation and evaluation of results; provided further, that the evaluation shall be compared to measurable goals and benchmarks that shall be developed by the department; and provided further, that reading recovery shall provide to the house and senate committees on ways and means and the joint committee on education a report detailing, by recipient, program success in meeting measurable goals and benchmarks.....\$400,000

7035-0002 For the provision and improvement of adult basic education services, including reading, writing and mathematics; provided, that grants shall be distributed to a diverse network of organizations which have demonstrated commitment and effectiveness in the provision of such services, and that are selected competitively by the department of elementary and secondary education; provided further, that such grants shall support the successful transition of students from other adult basic education programs to community college certificate and degree-granting programs; provided further, that such grants shall be contingent upon satisfactory levels of performance as defined and determined by the department; provided further, that in no case shall grants be considered an entitlement to a grant recipient; provided further, that the department shall consult with the community colleges and other service providers in establishing and implementing content, performance and professional standards for adult basic education programs and services; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education .....\$27,702,108

7035-0006 For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated in this item .....\$43,521,000

7035-0007	<p>For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of nonresident pupils to any approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative pursuant to section 8A of chapter 74 of the General Laws; provided, that should the amount appropriated herein be insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be pro-rated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A, the department shall, within 10 days, notify the secretary of administration and finance, the house and senate chairs of the joint committee on education and the chairs of the house and senate ways and means committees of the amount needed to fully fund said obligation .....</p>	\$400,000
7051-0015	<p>For operating funds to distribute food for the Massachusetts emergency food assistance program .....</p>	\$1,000,000
7053-1909	<p>For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the National School Lunch Act and in the regulations implementing the act.....</p>	\$5,426,986
7053-1925	<p>For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that funds shall be expended for the summer food service outreach program and the school breakfast outreach program; provided further, that within the summer food program, priority shall be given to extending such programs for the full summer vacation period and promoting increased participation in such programs; provided further, that the department of elementary and secondary education shall solicit proposals from returning sponsors and school food authorities in time for implementation of such grant program during the summer of 2012; provided further, that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full summer programs or increase participation; provided further, that the department shall require sufficient reporting from each grantee to measure the success of such grant program; provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2012; provided further, that funds shall be expended for the universal school breakfast program in which all children in schools receiving funds under the program shall be provided free, nutritious breakfasts at no cost to them; provided further, that subject</p>	

to regulations of the board that specify time and learning standards, breakfasts shall be served during regular school hours; provided further, that participation shall be limited to those elementary schools mandated to serve breakfast under section 1C of chapter 69 of the General Laws where 60 per cent or more of the students are eligible for free or reduced-price meals under the federally-funded school meals program; provided further, that the department shall select school sites for programs authorized by this item not later than November 16, 2011, and shall report to the house and senate committees on ways and means on the preliminary results of these grants not later than January 6, 2012; and provided further, that nothing in the universal school breakfast program shall give rise to enforceable legal rights in any party or enforceable entitlement to services; prior appropriation continued .....\$4,121,215

7061-0008 For school aid to cities, towns, regional school districts, counties maintaining agricultural schools, independent vocational schools and independent agricultural and technical schools to be distributed under chapters 70 and 76 of the General Laws and section 3.....\$3,990,812,680

7061-0012 For the reimbursement of extraordinary special education costs under section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated so that expenses of this item do not exceed the amount appropriated in this item; provided further, that upon receipt by the department of elementary and secondary education of required special education cost reports from school districts, the department shall reimburse districts based on fiscal year 2011 claims; provided further, that the department may expend funds to continue and expand voluntary residential placement prevention programs between the department of elementary and secondary education and other departments within the executive office of health and human services that develop community-based support services for children and their families; provided further, that the department shall provide not less than \$6,500,000 to the department of developmental services for the voluntary residential placement prevention program; provided further, that the department of elementary and secondary education shall fully cooperate in providing information and assistance necessary for the department of developmental services to maximize federal reimbursement and to effectively serve students in less restrictive settings; provided further, that the department shall expend funds to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository for the outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks; provided further, that the department shall expend funds for the costs of borrowing audio textbooks by special education students; provided further, that funds may be expended for the monitoring and follow-up activities of the department's complaint management system, review and approval of local educational authority applications, and local school districts' compliance with the part B requirements of the federal Special Education Law, known as the Individuals with Disabilities Education Act, in the provision of special education and related services to children with disabilities; provided further, that funds may be expended to administer the reimbursements funded herein; provided further, that funds may be expended to reimburse districts for

extraordinary increases in costs incurred during fiscal year 2012 which would be reimbursable under said section 5A of said chapter 71B; provided further, that reimbursements for current year costs shall be limited to school districts which experience increases of greater than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2011 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2012 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulation or guidelines; provided further, that reimbursements for current year costs shall be allocated as one-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2011 claims; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2012 reimbursement amount and adjust the third and fourth quarter payments to the districts to reflect the new reimbursement amount; provided further, that the department shall file a report with the house and senate committees on ways and means not later than February 15, 2012, on the results of the audit; and provided further, that the department shall work in conjunction with the department of public health to track, by community, the number of children receiving early intervention services and the number of those children who later receive special education services and shall report the house and senate committees on ways and means on April 1, 2012 detailing the findings .....\$213,119,160

7061-0029	For the office of school and district accountability, established in section 55A of chapter 15 of the General Laws; provided, that notwithstanding said 55A of said chapter 15 of the General Laws, the office shall perform not less than 20 school district audits for fiscal year 2012.....	\$939,083
7061-0033	For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on military reservations located within the town's limits; provided, that any grants provided under this item shall be expended by a school committee without further appropriation.....	\$1,300,000
7061-9010	For fiscal year 2012 reimbursements to certain cities, towns and regional school districts of charter school tuition and the per pupil capital needs component included in the charter school tuition amount for commonwealth charter schools, as calculated under subsections (ff) and (gg) of section 89 of chapter 71 of the General Laws; provided, that notwithstanding said subsection (ff) of said section 89 of said chapter 71 or any other general or special law to the contrary, the per pupil capital needs component of the commonwealth charter school tuition rate for fiscal year 2012 shall be \$893; and provided further, that if the amount appropriated is insufficient to fully fund all reimbursements required by said section 89 of said chapter 71, the department shall fully reimburse the cost of such per pupil capital needs component and shall prorate the tuition reimbursements calculated under said subsection (gg) of said section 89 of said chapter 71.....	\$71,554,914
7061-9200	For the education technology program.....	\$861,405



7061-9400 For student and school assessment including the administration of the Massachusetts comprehensive assessment system exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws and for grants to school districts to develop portfolio assessments for use in individual classrooms as an enhancement to student assessment; provided, that as much as is practicable, especially in the case of students whose performance is difficult to assess using conventional methods, such instruments shall include consideration of work samples and projects and shall facilitate authentic and direct gauges of student performance; provided further, that such portfolio assessments shall not replace the statewide standardized assessment based on the curriculum frameworks; provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve gauges which shall be relevant and meaningful to students, parents, teachers, administrators and taxpayers pursuant to the first paragraph of section 1L of said chapter 69; and provided further, that notwithstanding any general or special law to the contrary, assessment of proficiency in English shall be administered in English .....\$24,362,278

7061-9404 For grants to cities, towns and regional school districts to provide targeted remediation programs for students in the classes of 2003 to 2016, inclusive, scoring in level 1 or 2 on the Massachusetts comprehensive assessment system, MCAS, exam established by the board of elementary and secondary education pursuant to the provisions of sections 1D and 1I of said chapter 69 of the General Laws; provided, that the department and districts shall ensure that services are available to students with disabilities; provided further, that in awarding remediation funds, preference may be given to schools and districts at risk of or determined to be under-performing in accordance with said sections 1J and 1K of said chapter 69; provided further, that the purpose of this program shall be to improve students' performance on the MCAS exam through replication of services and educational strategies with proven results as determined by the department of elementary and secondary education; provided further, that such programs shall supplement currently funded local, state and federal programs at the school or district; provided further, that funds shall be expended for a competitive grant program to fund academic support and college transition services to be implemented in fiscal year 2012, and operated by public institutions of higher learning or by public-private partnerships in the commonwealth, for students in the graduating classes of 2003 to 2014, inclusive, who may have completed all other high school requirements but have not yet obtained a competency determination as defined in said section 1D of said chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of said chapter 69, but who are working to pass the English, math, and Science, Technology, and Engineering MCAS tests, obtain a competency determination and earn a high school diploma; provided further, that for the purpose of the programs, appropriated funds may be expended through August 31, 2012, to allow for summer remediation programs; provided further, that not less than \$200,000 shall be expended for JFY Networks for the purposes of enhancing student performance and

addressing achievement gaps through the use of instructional software, teacher training, and support; provided further, that funds shall be expended for competitive grants to fund Pathways programs targeting students in the graduating classes of 2003-2015, instituted by local school districts, public institutions of higher education and qualified public and private educational services organizations and One Stop Career Centers including, but not limited to, school-to-work connecting activities, creating worksite learning experiences for students as an extension of the classroom, outreach programs for students who will need post-twelfth grade remediation to attain the skills necessary to pass MCAS and counseling programs to educate parents and high school students on post-twelfth grade remediation options; provided further, that funds shall be expended for a competitive grant program, guidelines for which shall be developed by the department of elementary and secondary education, for intensive remediation programs in communities with students in the graduating classes of 2003 to 2016, inclusive, who have not obtained a competency determination or have scored in levels 1 or 2 on either the English or math MCAS exams or level 1 on Science, Technology and Engineering MCAS; provided further, that the department of elementary and secondary education may give preference for such assistance to those districts with a high percentage of high school students scoring in level 1 on the MCAS exam in English, math and Science, Technology and Engineering; provided further, that eligible applicants shall include individual high schools, and those institutions which shall have partnered with a high school or group of high schools; provided further, that no district shall receive a grant from this appropriation until the district submits to the department of elementary and secondary education a comprehensive district plan pursuant to the provisions of said section 11 of said chapter 69, to improve performance of all student populations including, but not limited to, students with disabilities; provided further, that any evaluation will examine the likelihood and efficiency of replication of these programs and practices in school districts with a large percentage of English language learners; provided further, that these funds may be expended for professional development related to these programs; provided further, that the department shall issue a report not later than February 2, 2012, as a condition of continued funding under this account, in collaboration with the department of higher education, describing MCAS support programs for the graduating classes of 2003 to 2016, inclusive, funded by items this item and 7027-0019, school to work accounts, institutions of public higher education and other sources, including federal sources; provided further, that such report shall include, but not be limited to, the number of students eligible to participate in such programs, the number of students participating in such programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs but not met local graduation requirements and the number of students who have passed the MCAS assessment and obtained a competency determination through these programs and met local graduation requirements; provided further, that said report shall be provided to the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the

treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs .....\$9,575,175

7061-9408

For targeted intervention to schools and districts at risk of or determined to be underperforming under sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations; provided, that no money shall be expended in any school or district that fails to file a comprehensive district plan pursuant to the provisions of section 1I of said chapter 69; provided further, that the department shall only approve reform plans with proven, replicable results in improving student performance; provided further, that in carrying out the provisions of this item, the department may contract with school support specialists, turnaround partners and such other external assistance as is needed in the expert opinion of the commissioner, to successfully turn around failing school and district performance; provided further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which addresses the needs of the district as determined by the department; provided further, that eligible professional development activities for purposes of this item shall include, but not be limited to: professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, professional development focused on improving the teacher's content knowledge in the field or subject area in which the teacher is practicing, professional development which provides teachers with research based strategies for increasing student success, professional development teaching the principles of data driven instruction and funding which helps provide common planning time for teachers within a school and within the school district; provided further, that preference in the awarding of such funds shall be given to professional development in math and English content skills; provided further, that funds from any targeted intervention grant may be used to partially offset the cost of said professional development and common planning time; provided further, that funds may be expended for the purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be expended on instructional materials except where the purchase of such materials is part of a comprehensive plan to align the school or district curriculum with the Massachusetts curriculum frameworks; provided further, that preference in distributing funds shall be made for proposals which coordinate reform efforts within all schools of a district in order to prevent conflicts between multiple reforms and interventions among the schools; provided further, that funds may be expended for the commonwealth pilot school initiative established by the board in November 2006; provided further, that the department shall issue a

report not later than February 2, 2012 describing and analyzing all intervention and targeted assistance efforts funded by this item; provided further, that such report shall include, but not be limited to: the number of schools and school districts eligible to receive such assistance, the number of students attending school in said districts, the nature and type of intervention activities funded through this item, by school and school district, the number of teachers in professional development funded in part through this item, the number of districts with curricula or professional development systems aligned with the Massachusetts curriculum frameworks and the number that are undertaking that effort with grants funded by this item, the number of outside vendors with whom the department has contracted to provide intervention and turnaround services, the amount each vendor has received and the results obtained in each instance, the number of students who have passed the Massachusetts comprehensive assessment system and obtained a competency determination through these programs before, and during, the period of intervention and turnaround and any other data relative to the successes achieved or challenges faced by the effort to turn around schools, along with any legislative or budgetary recommendations for improving the initiative and increasing the success of all intervention efforts; provided further, that said report shall include an analysis of the number of districts with curriculum plans not aligned to the Massachusetts curriculum frameworks, along with any legislative and regulatory recommendations to address the issue; provided further, that the report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended on recurring school or school district expenditures unless the department and school district have developed a long-term plan to fund such expenditures from the district's operational budget; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012, to allow for intervention and school and district improvement planning in the summer months; and provided further, that any funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, that funds may be expended for the continuation of a parent engagement program under section 2 of chapter 182 of the acts of 2008; provided further, that in carrying out the provisions of this item, the department may contract with vendors that have an established record of working with schools to target and enhance middle school academic support services, provided the department shall give priority to programs that have the capacity to serve not less than 25% of a district's middle school population, make available documentation of a minimum of \$1 in private sector local or federal funds for every \$1 in state funds, extend the learning day for students on site in the same building where students attend school during the day by a minimum of 10 hours per school week; and provided further, said programs shall have conducted at least one independent longitudinal study demonstrating gains in student performance in any of the

following areas; MCAS scores, school attendance, student grades, or long-term high school graduation rates, teach students in groups with ratios no larger than one to eighteen, integrate an extended school faculty which includes an on-site leader, and further, said program shall develop data sharing agreements and MOUs with middle schools to ensure the timely and effective sharing of grade progress and other formative or diagnostic measurement of student progress.....\$6,740,746

7061-9412

For grants to cities, towns and regional school districts for the purpose of planning for and implementing expanded learning time in the form of longer school days or school years at selected schools; provided, that implementation grants shall only be provided under this item to schools and districts which submitted qualifying applications which were approved by the department in fiscal year 2011 and which include a minimum of an additional 300 hours on a mandatory basis for all children attending that school; provided further, that in approving expanded learning time implementation grant applications, preference shall be given to districts with high poverty rates or a high percentage of students scoring in levels 1 or 2 on the Massachusetts comprehensive assessment system, those districts with proposals that have the greatest potential for district-wide impact, those districts that plan to utilize partnerships with community-based organizations and institutions of higher education and those districts with proposals that include a comprehensive restructuring of the entire school day or year to maximize the use of the additional learning time; provided further, that the department shall approve implementation proposals that include an appropriate mix of additional time spent on core academics, additional time spent on enrichment opportunities such as small group tutoring, homework help, music, arts, sports, physical activity, health and wellness programs, project-based experiential learning and additional time for teacher preparation or professional development; provided further, that the department shall only approve implementation proposals that assume not more than \$1,300 per pupil per year in future state appropriations of expanded learning time implementation funds; provided further, that in extraordinary cases the department may exceed the \$1,300 per pupil per year limit; provided further, that the department shall review all qualified proposals and award approved grants not later than August 16, 2011; provided further, that in carrying out the provisions of this item, funds may be expended by the department to support the impact and effectiveness of the program; provided further, that the department shall issue an annual report, not later than February 2, 2012, on the implementation of plans in all participating districts; provided further, that the report shall include, but not be limited to, the names of schools and school districts participating, the number of students attending these schools and the nature and type of changes made in participating schools as a result of this program; provided further, that the report shall also include an anticipated budget for this program for the next fiscal year and a breakdown of the distribution of the \$1,300 per student by school; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education; provided further, that for this item,

appropriated funds may be expended through August 31, 2012 to allow for planning and implementation during the summer months; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education .....\$13,918,030

7061-9600

For a discretionary grant pilot program with the purpose of providing monies to school districts and state public institutions of higher education partnering together to offer inclusive concurrent enrollment programs for students with disabilities as defined in section 1 of chapter 71B of the General Laws between the ages of 18 and 22, inclusive; provided, that the grant program will be limited to students who are considered to have severe disabilities and, in the case of students ages 18 to 19, shall be limited to students with severe disabilities who have been unable to achieve the competency determination necessary to pass the Massachusetts comprehensive assessment system exam; provided further, that said students with disabilities shall be offered enrollment in credit and noncredit courses that include nondisabled students, including enrollment in noncredit courses and credit bearing courses in audit status for students who may not meet course prerequisites and requirements, and that the partnering school districts will provide supports, services and accommodations necessary to facilitate a student's enrollment; provided further, that the department, in consultation with the department of higher education, shall develop guidelines to ensure that the grant program promotes civic engagement and mentoring of faculty in state institutions of higher education, and supports college success, work success, participation in student life of the college community and provision of a free appropriate public education in the least restrictive environment; provided further, that the department, in consultation with the department of higher education, shall develop strategies and procedures to help sustain and replicate the existing inclusive concurrent enrollment programs initiated through this pilot program, including, but not limited to: provision of funds to retain employment specialists and assist students in meeting competitive employment and other transition-related goals, and adoption of procedures and funding mechanisms to ensure that new partnerships of institutions of higher education and school districts providing inclusive concurrent enrollment programs fully utilize the models and expertise developed in existing partnerships; provided further that the department shall develop a mechanism to encourage existing and new partnerships to expand capacity to respond to individual parents that request an opportunity for their children to participate in the inclusive concurrent enrollment initiative; provided further that tuition for courses shall be waived by the institutes of higher education for students enrolled through this grant program; provided further, that funds may be distributed to the department of higher education in order to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment pilot program; provided

further, that funds may be allocated to the department of elementary and secondary education to provide training and technical assistance to school districts for program implementation; provided further, that the department of elementary and secondary education, in consultation with the department of higher education, shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on higher education on the discretionary grant program not later than February 15, 2012; provided further, that no funds shall be expended for personnel employed by the department of elementary and secondary education; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012 .....\$400,000

7061-9601 For the department of elementary and secondary education; provided, that the department shall expend funds not to exceed \$1,367,409 for teacher preparation and certification from fees relating to such service; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller shall certify for payments amounts not to exceed the amount of appropriation .....\$1,367,409

7061-9611 For grants or subsidies for after-school and out-of-school programs; provided, that preference shall be given to after-school proposals developed collaboratively by public and non-public schools and private community based programs; provided further, that the department of elementary and secondary education shall fund only those applications which contain accountability systems and measurable outcomes, under guidelines to be determined by the department in consultation with the department of early education and care; provided further, that applicants shall detail funds received from all public sources for existing after-school and out-of-school programs and the types of programs and type of students served by the funds; provided further, that funds from this item may be used for a variety of activities, including but not limited to: (1) academic tutoring and homework centers where content is linked to and based on the curriculum guidelines promulgated by said department; (2) programs which improve the health of students, including physical activities, athletics, nutrition and health education and exercise; (3) art, theater, and music programs developed in collaboration with the Massachusetts cultural council, local cultural councils or cultural organizations in the commonwealth funded by the Massachusetts cultural council; (4) enrichment activities not otherwise provided during the school day; (5) advanced study for the gifted and talented; and (6) community service programs; provided further, that funds shall be expended for services that actively include children with disabilities in after-school programs that also serve non-disabled children and services that include children where English is a second language, including but not limited to: increased per-child reimbursement rates, additional staff, technical assistance, training and transportation; provided further, that the department of elementary and secondary education shall consult the executive office of health and human services and the department of early education and care to maximize the provision of wrap-around services and to coordinate programs and services for children and

	<p>youth during after-school and out-of-school time programs; provided further, that the department shall select grant recipients not later than September 30, 2011, and shall report on the preliminary results of said grants not later than February 15, 2012, to the secretary of administration and finance, the house and senate chairs of the joint committee on education and the chairs of the house and senate committees on ways and means; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012, to allow for implementation of said programs during the summer months; and provided further, funds shall be expended to convene regional networks, to work with the department of elementary and secondary education and the department of early education and care to support the implementation of school-community partnerships and to submit a report by October 14, 2011, to the general court and the administration making recommendations on how to enhance school-community partnerships and positive outcomes for children and youth through funding as provided in this item .....</p>	\$1,410,000
7061-9614	<p>For the alternative education grant program established in section 1N of chapter 69 of the General Laws; provided, that the commissioner shall allocate funds for subsections (a) and (b) of said section 1N of said chapter 69; and provided further, that no funds shall be expended for personnel costs .....</p>	\$146,140
7061-9619	<p>For the purpose of funding the Benjamin Franklin Institute of Technology; provided, that the institute shall have access to the Massachusetts education computer system; and provided further, that the institute may join the state buying consortium .....</p>	\$1
7061-9626	<p>For grants and contracts with youth-build programs for the purposes of providing comprehensive youth-build services .....</p>	\$1,300,000
7061-9634	<p>For a transfer of this item to the Mass Mentoring Partnership, which shall be responsible for administering a competitive statewide grant program for public and private agencies to start or expand youth mentoring programs according to current best practices and for purposes including advancing academic performance, self-esteem, social competence and workforce development; provided, that the department of elementary and secondary education shall transfer the amount appropriated in this item to the Mass Mentoring Partnership for the purpose of these grants; provided further, that in order to be eligible to receive funds from this item, each public or private agency shall provide a matching amount equal to \$1 for every \$1 disbursed from this item; and provided further, that the Mass Mentoring Partnership shall submit a report detailing the impact of grants, expenditure of funds and the amount and source of matching funds raised to the department of elementary and secondary education .....</p>	\$250,000
7061-9804	<p>For teacher content training in math and science; provided, that said training shall include math specialist and Massachusetts test for educator licensure preparation; provided further, that funds from this item shall be expended on content based professional development in math and science, with a focus on elementary and middle school math and science teachers in districts with a high percentage of students scoring in level 1 or 2 on the math or science</p>	



Massachusetts comprehensive assessment system exams, or in districts which are at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that such professional development courses shall demonstrate proven, replicable results in improving teacher and student performance, and shall demonstrate the use of best practices, as determined by the department, including data comparing pre-training and post-training content knowledge; provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2012; provided further, that not less than \$400,000 shall be expended on a program which shall provide advanced placement math, science and English teacher training in at least 40 school districts, provided that such program shall provide a matching amount of at least \$400,000 in private funding; and provided further, that the department shall deliver to the legislature an independent evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps .....\$746,162

7061-9810 For regional bonus aid pursuant to subsection (g) of section 16D of chapter 71 of the General Laws .....\$300,000

#### **Department of Higher Education.**

---

7066-0000 For the operation of the department of higher education; provided, that the department shall recommend savings proposals that permit institutions of public higher education to achieve administrative and program cost reductions, resource re-allocation and program re-assessment and to utilize resources otherwise available to such institutions; and provided further, that in order to meet the estimated costs of employee fringe benefits provided by the commonwealth on account of employees of the Massachusetts State College Building Authority and the University of Massachusetts Building Authority, and in order to meet the estimated cost of heat, light, power and other services, if any, to be furnished by the commonwealth to projects of these authorities, the boards of trustees of the state colleges, state universities and the University of Massachusetts shall transfer to the General Fund from the funds received from the operations of the projects such costs, if any, as shall be incurred by the commonwealth for these purposes in the current fiscal year, as determined by the appropriate building authority, verified by the commissioner of higher education and approved by the secretary of administration and finance.....\$1,624,791

7066-0005 For the commonwealth's share of the cost of the compact for education .....\$82,620

7066-0009 For the New England board of higher education.....\$367,500

7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws .....\$1,250,000

7066-0016 For a program of financial aid to support the matriculation of certain persons at public and private institutions of higher learning; provided, that only persons in the custody of the department of children and

	families under a care and protection petition upon reaching the age of 18, or persons in the custody of the department matriculating at such an institution at an earlier age, shall qualify for such aid; provided further, that no such person shall be required to remain in the custody of the department beyond age 18 to qualify for such aid; provided further, that this aid shall not exceed \$6,000 per recipient per year; and provided further, that this aid shall be granted after exhausting all other sources of financial support .....	\$1,075,299
7066-0019	For the department of higher education to support the dual enrollment program allowing qualified high school students to take college courses; provided, that public higher education institutions may offer courses in high schools in addition to courses offered at the institutions or online if the number of students is sufficient .....	\$750,000
7066-0020	For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; and provided further, that funds shall be transferred to the Trust Fund according to an allotment schedule adopted by the executive office for administration and finance. ....	\$635,250
7066-0021	For reimbursements to public institutions of higher education for foster and adopted child fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this item prior to certification by the state universities and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for foster and adopted children attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the board of higher education.....	\$935,400
7066-0024	For the school of excellence program at the Worcester Polytechnic Institute; provided, that every effort shall be made to recruit and serve equal numbers of male and female students; provided further, that sending districts of students attending the Institute shall not be required to expend any funds for the cost of these students while in attendance at the Institute; provided further, that the Massachusetts Academy of Mathematics and Science shall provide professional development activities at the school located at Worcester Polytechnic Institute, including salary and benefits for master teachers and visiting scholars; provided further, that the academy shall file a report with the joint committee on education and the house and senate committees on ways and means no later than February 1, 2012 detailing the professional development activities; and provided further, that the department of elementary and secondary education shall provide a subsidy to the Worcester Polytechnic Institute to operate a school of excellence in mathematics and science .....	\$1,300,000

7066-0025	For the Performance Management Set Aside incentive program for the University of Massachusetts, the state universities and the community colleges; provided, that these funds shall be distributed by the commissioner of higher education to public institutions of higher education through a competitive grant process based on priorities determined by the department of higher education in pursuit of operational efficiency and goals articulated in the commonwealth's Vision Project; provided further, that priorities may include support of workforce programs that train students for high-quality employment and outreach programs that work to engage surrounding communities with high-quality educational programs; and provided further, that the department of higher education shall file a report with the house and senate committees on ways and means no later than February 15, 2012, detailing campuses receiving funds through this item and the criteria used to award funds .....	\$2,500,000
7070-0065	For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that funds from this item may be expended on the administration of the scholarship program; provided further, that the commissioner of higher education, in coordination with the Massachusetts state scholarship office, shall adopt regulations governing the eligibility and the awarding of financial assistance; provided further, that funds from this item shall be in addition to \$1,000,000 made available by the Massachusetts Education Finance Authority in fiscal year 2012 for a program of needs-based financial assistance for Massachusetts residents enrolled in and pursuing a program of higher education at the University of Massachusetts, the state universities or the community colleges; and provided further, that the department shall make funds available for early educator scholarships in amounts equal to the amounts made available in fiscal year 2011, reduced in proportion to the overall reduction of this item from fiscal year 2011 to fiscal year 2012 .....	\$87,607,756
7077-0023	For a contract with the Cummings School of Veterinary Medicine at Tufts University; provided, that funds appropriated in this item shall be expended under a resident veterinary tuition remission plan as approved by the commissioner of higher education for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated in this item shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities; and provided further, that the school may work in consultation with the Norfolk County Agricultural School on veterinary programs .....	\$2,000,000
7520-0424	For a health and welfare reserve for eligible personnel employed at the community colleges and state universities .....	\$5,581,664

### University of Massachusetts

---

7100-0200	For the operation of the University of Massachusetts; provided, that notwithstanding any general or special law to the contrary, the
-----------	--------------------------------------------------------------------------------------------------------------------------------------

university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that the University of Massachusetts shall expend funds for the operation of the Massachusetts office of public collaboration at the University of Massachusetts Boston, for capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center in Fall River; provided further, that funds may be expended for the UMass Extension and for the statewide 4-H program; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts Amherst Cranberry Station; and provided further, that funds may be expended for the operation of the Future of Work Research Initiative at the University of Massachusetts Labor Centers at Amherst, Boston, Dartmouth and Lowell campuses .....\$417,982,753

#### **State Universities.**

---

7109-0100	For Bridgewater State University .....	\$33,860,038
7110-0100	For Fitchburg State University .....	\$23,467,647
7112-0100	For Framingham State University .....	\$21,266,256
7113-0100	For the Massachusetts College of Liberal Arts.....	\$12,559,859
7114-0100	For Salem State University.....	\$34,614,021
7115-0100	For Westfield State University .....	\$20,139,642
7116-0100	For Worcester State University .....	\$19,941,794
7117-0100	For the Massachusetts College of Art .....	\$13,405,202
7118-0100	For the Massachusetts Maritime Academy .....	\$12,330,691

#### **Community Colleges.**

---

7502-0100	For Berkshire Community College .....	\$7,988,207
7503-0100	For Bristol Community College.....	\$13,885,391
7504-0100	For Cape Cod Community College .....	\$9,823,796
7505-0100	For Greenfield Community College .....	\$7,805,889
7506-0100	For Holyoke Community College.....	\$16,074,594
7507-0100	For Massachusetts Bay Community College .....	\$11,859,106

7508-0100	For Massasoit Community College .....	\$17,376,154
7509-0100	For Mount Wachusett Community College .....	\$11,007,508
7510-0100	For Northern Essex Community College .....	\$16,305,635
7511-0100	For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College .....	\$17,629,906
7512-0100	For Quinsigamond Community College .....	\$12,980,557
7514-0100	For Springfield Technical Community College .....	\$21,070,398
7515-0100	For Roxbury Community College .....	\$9,729,356
7515-0121	For the Reggie Lewis Track and Athletic Center at Roxbury Community College; provided, that the college may expend an amount not to exceed \$529,843 received from fees, rentals and facility expenses associated with the running and operation of national track meets, high school track meets, high school dual meets, Roxbury Community College athletic events, other special athletic events, conferences, meetings and programs; and provided further, that only expenses for contracted services associated with these events and for the capital needs of the facility shall be funded from this item .....	\$529,843
7516-0100	For Middlesex Community College .....	\$17,121,183
7518-0100	For Bunker Hill Community College; .....	\$17,496,631

---

## EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

---

### Office of the Secretary.

---

8000-0000	For the office of the secretary, including the administration of the committee on criminal justice and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402 and the costs associated with the implementation of chapter 228 of the acts of 2000; provided, that \$100,000 shall be expended for the commission created in section 189 of this act; and provided further, that the secretary shall enter into an agreement with a state college or university to provide for the expansion of comprehensive law enforcement and emergency response training and mandatory reporter programs for local, state and federal criminal justice and homeland security professionals .....	\$2,205,427
8000-0038	For the operation of a witness protection program pursuant to chapter 263A of the General Laws .....	\$94,245
8000-0202	For the purchase and distribution of sexual assault evidence collection kits .....	\$86,882

8000-1700	For the provision of information technology services within the executive office of public safety and security .....	\$17,803,749
-----------	----------------------------------------------------------------------------------------------------------------------	--------------

### **Chief Medical Examiner.**

---

8000-0105	For the operation of the office of the chief medical examiner, established pursuant to chapter 38 of the General Laws; provided, that the agency shall submit a report to the house and senate committees on ways and means not later than January 17, 2012 detailing the caseload of the office; and provided further, that the report shall include, but not be limited to, the number of toxicology tests, the reduction of turnaround time of toxicology tests and the reduction of the case backlog, the number of autopsies performed, the number of cases under the office's jurisdiction, the number of external exams performed, the number of cases determined to be homicides, and the number of cremations performed under the office's jurisdiction in 2010 and 2011 .....	\$7,210,507
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

8000-0122	For the office of the chief medical examiner, which may expend for its operations an amount not to exceed \$1,860,000 in revenues collected from fees for services provided by the chief medical examiner; provided, that notwithstanding any general or special law to the contrary, for the purposes of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the agency may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$1,860,000
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

### **State Police Crime Laboratory.**

---

8000-0106	For the operation and related costs of the state police crime laboratory; provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and chemicals shall be funded in this item in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments; provided further, that the practices and procedures of the state police crime laboratory shall be informed by the recommendations of the Forensic Sciences Advisory Board; and provided further, that the agency shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security not later than December 30, 2011, concerning, but not limited to, the number of cases introduced to the CODIS database, the number of confirmations attained from the CODIS database, and the number of cases referred to a district attorney delineated by county .....	\$12,993,541
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

### **Department of Criminal Justice Information Services.**

---

8000-0110	For the operation of the department of criminal justice information services, including criminal justice information services, criminal offender record information services, firearms support services and victim services; provided, that funds may be expended for the purpose of enabling local housing authorities' access to criminal	
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

offender record information when qualifying applicants for state-assisted housing .....\$2,365,650

### **Sex Offender Registry.**

---

8000-0125      For the operation of the sex offender registry, including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that notwithstanding any general or special law to the contrary, that the registration fee paid by convicted sex offenders under section 178Q of chapter 6 of the General Laws shall be retained and expended by the sex offender registry board .....\$3,510,417

### **Department of State Police.**

---

8100-0000      For the administration and operation of the department of state police; provided, that the department shall expend funds from this item for the purpose of maximizing federal grants for the operation of a counter-terrorism unit and the payment of overtime for state police officers; provided further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that not fewer than 40 officers may be provided to the department of conservation and recreation for the purpose of patrolling the watershed property of the department of conservation and recreation; provided further, that funds shall be expended from this item for the administration and operation of an automated fingerprint identification system and the motor carrier safety assistance program; provided further, that not fewer than 5 officers shall be provided to the disabled persons protection commission for the purpose of investigating cases of criminal abuse; provided further, that the department shall enter into an interagency agreement with the department of conservation and recreation to provide police coverage on department properties and parkways; provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the office of law enforcement in the executive office of energy and environmental affairs at no cost to, or compensation from, that office; provided further, that there shall be a study submitted to the house and senate committees on ways and means not later than January 31, 2012, on traffic details worked by the department of state police, including troops A, B, C, D, E, F, and H, over the last year, which shall detail, on a monthly basis: the total number of hours worked on traffic details by state police officers, the total amount paid to state police officers for traffic details, the standard hourly rates for traffic details done by state police officers and the city or town in which traffic details are performed by state police officers; provided further, that funds may be expended for a new state police class; provided further, that not less than \$1,000,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that any community that was selected to receive earmarked funds for directed patrols in fiscal year 2008 shall receive not less than 36.9 percent of the amount so earmarked in fiscal year 2012; and provided further, that the department may expend funds from this item for the administration of budgetary, procurement, fiscal, human resources,

payroll and other administrative services of the office of the chief medical examiner, the municipal police training committee and the criminal history systems board .....\$227,725,459

8100-0006 For private police details; provided, that the department may expend up to \$27,500,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2012 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2012 .....\$27,500,000

8100-0011 For the department of state police, which may expend an amount not to exceed \$3,100,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2012, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement, and other employee benefits; and (b) provisions governing payment to the department for the cost of equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received therefore; and provided further, that notwithstanding any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur



expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$3,100,000

8100-0012 For the department of state police, which may expend for the costs of security services provided by state police officers, including overtime and administrative costs, an amount not to exceed \$1,050,000 from fees charged for these services; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system .....\$1,050,000

8100-0020 For the department of state police, which may expend an amount not to exceed \$35,000 in fees charged for the use of the statewide telecommunications system for the maintenance of the system .....\$35,000

8100-0101 For the department of state police, which may expend for the Governor's Auto Theft Strike Force an amount not to exceed \$57,500 from fees for services performed through the auto etching program and from assessments upon the insurance industry .....\$57,500

8100-0111 For a grant program to be known as the Senator Charles E. Shannon, Jr. Community Safety Initiative, to be administered by the executive office of public safety and security, to support regional, multidisciplinary approaches to combat gang violence through coordinated programs for prevention and intervention, coordinated law enforcement, including regional gang task forces and regional crime mapping strategies, focused prosecutions and reintegration strategies for ex-convicts; provided, that the secretary of public safety and security shall distribute grant funds through a competitive grant program that gives preference to applications that: (a) demonstrate high levels of youth violence, gang problems and substance abuse in a region; (b) demonstrate a commitment to regional, multijurisdictional strategies to deal with such community safety issues, including written commitments for municipalities, law enforcement agencies, community-based organizations and government agencies to work together; (c) clearly outline a comprehensive plan for municipalities to work with law enforcement, community-based organizations and government agencies to address gang activity; (d) make a written commitment to match grant funds with a 25 per cent match provided by either municipal or private contributions; and (e) identify a local governmental unit to serve as fiscal agent; provided further, that clusters of municipalities, in partnership with nonprofit organizations and other agencies, including district attorney's offices, may apply for such funds; provided further, that such funds shall be considered one-time grants awarded to public agencies and shall not annualize into fiscal year 2013 or subsequent years; provided further, that administrative costs for successful grant applications shall not exceed 3 per cent of the value of the grant; provided further, that no grants shall be awarded to the department of state police; provided further, that no grant funds shall be expended on food or beverages; provided further, that

the executive office of public safety and security shall publish guidelines and an application for the competitive portion of the grant program not later than August 16, 2011; provided further, that awards shall be made to applicants not later than December 15, 2011; and provided further, that the executive office of public safety and security may expend not more than \$100,000 of the sum appropriated in this item for its costs in administering the program, prior appropriation continued.....\$5,500,000

8100-0515 For the expense of hiring, equipping, and training state police recruits to maintain the strength of the department of state police; provided, that funds expended for this purpose shall be subject to the receipt of not less than \$4,000,000 in matching funds as determined by the secretary of public safety and security; provided further, that no funds from this appropriation shall be expended before the expenditure of all matching funds.....\$2,000,000

### **Municipal Police Training Committee.**

---

8200-0200 For the operation of veteran, reserve, and in-service training programs conducted by the municipal police training committee; provided, that under no circumstances shall any expenditures authorized by this item be charged to item 8200-0222; provided further, that no less than \$25,000 be provided for towns in Worcester County hosting municipal police training academies; and provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item.....\$2,500,378

8200-0222 For the municipal police training committee, which may collect and expend an amount not to exceed \$900,000 for the purposes of providing training to new recruits; provided, that the committee shall charge \$2,500 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of \$2,500 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2011; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee, or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee no later than the first day of orientation for the program in which such trainee or recruit has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; if

a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which he was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that no expenditures shall be charged to this item that are not directly related to new recruit training; provided further, that no expenditures shall be charged to this item that are related to chief, veteran, in-service, or reserve training, or any training not directly related to new recruits; provided further, that the committee shall submit a report on the status of recruit training, including the number of classes, start and end dates of each class, total number of recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years 2011 and 2012; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than January 3, 2012; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payments not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....\$900,000

## **Department of Public Safety.**

---

8311-1000 For the administration of the department of public safety, including the division of inspections, the board of building regulations and standards, and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the National Council for Amusement and Recreational Equipment Safety; provided further, that the department may charge fees for amusement operator certification; provided further, that the salaries of the commissioner and the deputy commissioner of the department of public safety shall be paid from this item; provided further, that a doctor's certificate from another state shall be accepted as evidence of an eye examination; provided further, that the department shall employ not less than 42 full-time equivalent elevator inspectors, including an additional engineer inspector; provided further, that such additional engineer inspectors' duties shall include, but not be limited to, administering pipefitter license examinations; provided further, that such an additional engineer inspector and elevator inspectors shall be regular state employees compensated from the AA object class of this item; provided further, that such additional engineer inspector position shall be in addition to any such positions added during fiscal year 1995; provided further, that the division shall develop reasonable rules or promulgate regulations for the granting of hardship fee exemptions to certain owners or persons in control of a building or domicile in which an elevator is operated; provided further, that the division shall report to the house and senate committees on ways and means on the elevator inspection backlog not later than October 3, 2011; provided further, that the division shall develop and maintain an electronic database that shall include,

but not be limited to, the location and a categorical classification of buildings in which inspections are conducted; provided further, that the division shall inspect all elevators in the state house and the McCormack office building; and provided further, that the board of building regulations and standards shall expend funds from this item for the purpose of providing for the limited use of first-class mail to send Construction Supervisor License notifications to those who are unable to access notifications via e-mail .....\$4,574,006

8315-1020 For the department of public safety, which may expend not more than \$5,500,000 in revenues collected from fees for annual elevator and amusement park ride inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing elevator inspection backlog; provided further, that the committee shall maintain at a minimum the existing level of elevator inspectors to further manage the existing elevator inspection backlog; provided further, that to the extent feasible based on the amount appropriated in this item, funds shall be expended for hiring additional engineering inspectors or engineers; provided further, that funds shall be expended for escalator inspections; provided further, that the department shall make efforts to employ inspectors that will perform overnight and weekend inspections as their regular work shift; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal SSI benefit, or \$7,236 a year, whichever is greater; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$5,500,000

8315-1022 For the department of public safety, which may expend an amount not to exceed \$1,200,000 in revenues collected from fees for annual issuance of boiler and pressure vessel certificates and inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing boiler and pressure vessels inspection backlog; provided further, that funds shall be expended for hiring additional engineering inspectors or engineers; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$1,200,000

8315-1025 For the department of public safety, which may collect and expend an amount not to exceed \$90,182 for the purposes of providing state building code training and courses for instruction; provided, that the agency may charge fees for the classes and education materials associated with administering training; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may

incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$90,182

## **Department of Fire Services.**

---

8324-0000 For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program, the board of fire prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training and expenses of the council; provided, that the fire training program shall use the split days option; provided further, that the amount allocated for programs providing information about the fire risks caused by smoking, the regional dispatch center, critical incident stress intervention programs and fire department training academies listed in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated to each program in fiscal year 2012; provided further, that the amount allocated for critical incident stress management residential services in item 8000-0000 of said section 2 of said chapter 182 shall be allocated to the program in fiscal year 2012; provided further, that the amount allocated for hazardous material response teams specifically listed item 8324-0000 of said section 2 of said chapter 182 shall be allocated to each program in fiscal year 2012 and shall not be reduced by more than 57 per cent; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office, critical incident stress programs, the Massachusetts and fire department training academies and the regional dispatch center, shall be assessed upon insurance companies writing fire, homeowners' multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for hazardous materials emergency response shall be assessed upon insurance companies writing commercial multiple peril, non-liability portion, policies on property situated in the commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative cost of the program .....\$17,384,374

8324-0304 For the department of fire services; provided, that the department may expend for the purposes of enforcement and training an amount not to exceed \$8,500 from revenue generated under chapter 148A of the General Laws .....\$8,500

## **Military Division.**

---

8700-0001	For the operation of the military division, including the offices of the adjutant general and state quartermaster, the operation of the armories, the Camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; provided further, that the division may expend funds appropriated in this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services; and provided further, that the adjutant general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33 of the General Laws .....	\$7,801,491
8700-1140	For the military division, which may expend for the costs of national guard missions and division operations an amount not to exceed \$1,400,000 from fees charged for the non-military rental or use of armories and from reimbursements generated by national guard missions .....	\$1,400,000
8700-1150	For reimbursement of the costs of the Massachusetts national guard tuition and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this item prior to certification by the state universities and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for national guard members attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the military division of the Massachusetts national guard; provided further, that funds from this item may be expended through August 31, 2012 for the reimbursement of the tuition and fees waived for classes taken during the summer months; provided further, that the military division of the Massachusetts national guard and the board of higher education shall issue a joint report not later than February 15, 2012 on the implementation of this waiver; provided further, that the report shall be submitted to the secretary of administration and finance, the chairs of the house and senate committees on ways and means, the house and senate chairs of the joint committee on veterans and federal affairs and the house and senate chairs of the joint committee on higher education; and provided further, that the military division may expend funds from this item for administrative services .....	\$3,350,000
8700-1160	For life insurance premiums under section 88B of chapter 33 of the General Laws .....	\$1,040,000

### **Massachusetts Emergency Management Agency.**

---

8800-0001	For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities .....	\$1,361,395
8800-0100	For the nuclear safety preparedness program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating facilities in the commonwealth; provided	

further, that the department of public utilities shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department .....\$429,268

8800-0200

For the Radiological Emergency Response Program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950, include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; and provided further, that for the purposes of this item, electric companies shall mean all persons, firms, associations and private corporations which own or operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth, but shall not include municipalities or municipal light plants.....\$280,753

#### **Department of Correction.**

---

8900-0001

For the operation of the commonwealth's department of correction; provided, that before closing any correctional facility, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which inmates will be moved; provided further, the commissioner of correction and the secretary of public safety and security shall report to the house and senate committees on ways and means and public safety and homeland security before January 1 of each year the point score compiled by the department of correction's objective classification system for all prisoners confined in each prison operated by the department; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the program in fiscal year 2012; provided further, that the amount allocated to the municipality housing MCI-Cedar Junction shall be not less than the amount allocated in 8900-0001 of section 2 of Chapter 61 of the Acts of 2007 relative to MCI-Cedar Junction; provided further, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the department shall submit reports, utilizing standardized reporting definitions developed mutually with the Massachusetts Sheriffs Association, on caseload, admissions, classification, releases, and recidivism of all pretrial, sentenced, and federal inmates; provided further, that the department shall submit these reports on a quarterly basis starting July 1, 2011, due no later than 30 days after the last day of each quarter; provided further, that the department may expend \$25,000 on a program for ex-offenders and chronically homeless men to recover from drug and alcohol

addiction while learning farm skills; provided further, that the department shall also report, in a format developed jointly by the Massachusetts Sheriffs Association and the department, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; provided further, that the department shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety; and provided further, that the department shall expend not less than \$500,000 for cities and towns hosting facilities, prior appropriation continued .....\$509,360,246

8900-0002	For the operation of the Massachusetts Alcohol and Substance Abuse Center; provided, that the commissioner of correction and the commissioner of public health, or their designees, shall jointly issue a report to the house and senate committees on ways and means, the joint committee on mental health and substance abuse and the joint committee on public safety and homeland security not later than October 12, 2011 on the feasibility of transferring the operations of the center from the department of correction to the department of public health; provided further, that the report shall include a detailed timeline for transition, costs and savings related to the transition, potential for federal reimbursement under the department of public health, siting and location details, staffing plans, changes to patient care, necessary changes to state statute, oversight and governance, security and comparisons to other state practices; provided further that in writing the report, the department of public health and the department of correction shall consult with the judiciary to ensure that any proposed transfer shall conform with current sentencing and civil commitment guidelines and practices; and provided further, that the report shall include recommendations for the funding and operations of the Massachusetts Alcohol and Substance Abuse Center should the commissioners determine that the transfer to the department of public health is not feasible.....\$5,000,000
8900-0010	For prison industries and farm services; provided that the commissioner of correction or designee shall determine the cost of manufacturing motor vehicle registration plates and certify amounts collected.....\$1,875,409
8900-0011	For the prison industries and farm services program, which may expend for the operation of the program an amount not to exceed \$2,600,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system .....\$2,600,000
8900-0045	For the department of correction, which may expend for the operation of the department, including personnel-related expenses, an amount not to exceed \$1,000,000 from revenues received from federal inmate reimbursements; provided, that \$900,000 from these reimbursements shall not be available for expenditure and shall be deposited in the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for



the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$1,000,000

8900-0050 For the department of correction; provided, that the department may expend not more than \$5,474,200 in revenues collected from the State Criminal Alien Assistance Program; provided further, that the department may expend not more than \$6,514,800 in revenues collected from existing assessments; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$11,989,000

8900-1100 For re-entry programs at the department of correction intended to reduce recidivism rates; provided, that said programs shall be in addition to those provided in fiscal year 2006; provided further, that the department shall report to the house and senate committees on ways and means not later than January 20, 2012 on re-entry programming at the department of correction; and provided further that the report shall include information on the type of programs provided and the recidivism rate of the offenders who successfully complete the programs .....\$550,139

#### **Parole Board.**

---

8950-0001 For the operation of the parole board .....\$16,986,537

8950-0002 For the victim and witness assistance program of the parole board under chapter 258B of the General Laws .....\$210,670

8950-0008 For the operation of the parole board's sex offender management program and the supervision of high-risk offenders; provided, that the parole board may expend an amount not to exceed \$600,000 from revenues collected from fees charged for parolee supervision; and provided further, that the parole board shall file a report with the house and senate committees on ways and means not later than February 1, 2012, which shall include, but not be limited to, the number of parolees participating in the program and the re-incarceration rate of participating parolees .....\$600,000

#### **Sheriffs.**

---

##### **Hampden Sheriff's Office.**

---

8910-0102 For the operation of the Hampden sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions,

classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$64,209,988

8910-1000 For the Hampden sheriff's office, which may expend for prison industries programs an amount not to exceed \$2,251,900 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities, reimbursement for community service projects and compensation of employees of the program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system .....\$2,251,900

8910-1010 For the operations of a regional behavioral evaluation and stabilization unit to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities in the commonwealth; provided, that the unit shall be located in Hampden county to serve the needs of incarcerated persons in the care of Berkshire, Franklin, Hampden, Hampshire, and Worcester counties; provided further, that the services of the units shall be made available to incarcerated persons in the care of the department of correction; provided further, that the sheriff, in conjunction with the department of correction and the Massachusetts Sheriffs Association, shall prepare a report that shall include, but not be limited to: (a) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (b) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (c) the alleviation in caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of counties being attended to at the hospital; and (d) the estimated and projected cost-savings in fiscal year 2012 to the sheriff offices and the department of correction associated with the regional units; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than March 15, 2012; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the unit .....\$905,441

8910-2222 For the Hampden sheriff's office, which may expend for the operation of the office an amount not to exceed \$1,500,000 from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower

of this authorization or the most recent revenue estimate as reported  
in the state accounting system .....\$1,500,000

### **Worcester Sheriff's Office.**

---

8910-0105      For the operation of the Worcester sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$39,729,986

### **Middlesex Sheriff's Office.**

---

8910-0107      For the operation of the Middlesex sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$58,708,427

8910-0160      For a retained revenue account for the Middlesex sheriff's office for reimbursements from the federal government for costs associated with the incarceration of federal inmates at the Billerica house of correction; provided, that the office may expend for the operation of the office an amount not to exceed \$850,000 from revenues collected from the incarceration of federal inmates; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts

not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system .....\$850,000

8910-1100 For the Middlesex sheriff's office, which may expend for the operation of a prison industries program an amount not to exceed \$75,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded in the Massachusetts management accounting and reporting system .....\$75,000

8910-1101 For the operations of a regional behavioral evaluation and stabilization unit to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities in the commonwealth; provided, that the unit shall be located in Middlesex county to serve the needs of incarcerated persons in the care of Barnstable, Bristol, Dukes, Essex, Nantucket, Middlesex, Norfolk, Plymouth, and Suffolk counties; provided further, that the services of the unit shall be made available to incarcerated persons in the care of the department of correction; provided further, that the sheriff, in conjunction with the department of correction and the Massachusetts Sheriffs Association, shall prepare a report that shall include, but not be limited to: (a) the number of incarcerated persons in facilities located in counties that were provided services in each unit; (b) the number of incarcerated persons in department of correction facilities that were provided services in each unit; (c) the alleviation in caseload at Bridgewater state hospital associated with fewer incarcerated persons in the care of counties being attended to at the hospital; and (d) the estimated and projected cost-savings in fiscal year 2012 to the sheriff offices and the department of correction associated with the regional units; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than March 15, 2012; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the unit .....\$905,441

#### **Hampshire Sheriff's Office.**

---

8910-0110 For the operation of the Hampshire sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffsZ association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security

level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$11,559,175

8910-1112 For the Hampshire sheriff's office, which may expend for the operation of the Hampshire county regional lockup at the Hampshire county jail an amount not to exceed \$158,068 in revenue; provided, that the sheriff shall enter into agreements to provide detention services to various law enforcement agencies and municipalities and shall determine and collect fees for those detentions from the law enforcement agencies and municipalities .....\$158,068

### **Berkshire Sheriff's Office.**

---

8910-0145 For the operation of the Berkshire sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$14,108,413

8910-0445 For the Berkshire sheriff's office, which may expend an amount not to exceed \$250,000 from revenues generated from the operation of the Berkshire county communication center's 911 dispatch operations and other law enforcement related activities, including the Berkshire county sheriff prison industries program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system .....\$250,000

8910-0446 For the Berkshire sheriff's office, which may expend an amount not to exceed \$500,000 from revenues collected from Berkshire County public schools; provided, that funds shall be expended for the operation of the Juvenile Resource Center; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system; and provided further, that expenditures from this item shall be

subject to chapter 29 of the General Laws and recorded on the  
Massachusetts management accounting and reporting system .....\$500,000

### **Franklin Sheriff's Office.**

---

8910-0108 For the operation of the Franklin sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffsZ association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$8,671,430

8910-0188 For the Franklin sheriff's office, which may expend for the operation of the office an amount not to exceed \$2,100,000 from revenues received from any state or federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system .....\$2,100,000

### **Essex Sheriff's Office.**

---

8910-0619 For the operation of the Essex sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$43,356,922

8910-6619	For the Essex sheriff's office, which may expend for the operation of the office an amount not to exceed \$2,000,000 from revenues received from federal inmate reimbursements; provided further, that said sheriff may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system.....	\$2,000,000
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

**Massachusetts Sheriff's Association.**

---

8910-7100	For the Massachusetts Sheriffs Association, which may expend for its operation an amount not to exceed \$344,790 in revenue collected from voluntary contributions from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary for the purpose of coordination and standardization of services and programs, the collection and analysis of data related to incarceration and recidivism and generation of reports, technical assistance and training to ensure standardization in organization, operations, and procedures; provided further, that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided further, that the executive director of the association shall submit a report that shows the amounts of all grants awarded to each sheriff in fiscal year 2011; provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2012; and provided further, that the association shall post monthly on its website the monthly inmate population by county starting not later than August 1, 2011 .....	\$344,790
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

**Barnstable Sheriff's Office.**

---

8910-8200	For the operation of the Barnstable sheriff's office; provided, that funds may be expended for the continued operation of the centralized emergency medical dispatch system; provided further, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffsZ association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$21,617,391

8910-8210 For the Barnstable sheriff's office, which may expend for the operation of the office an amount not to exceed \$250,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$250,000

#### **Bristol Sheriff's Office.**

---

8910-8300 For the operation of the Bristol sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$27,202,704

8910-8310 For the Bristol sheriff's office, which may expend for the operation of the office an amount not to exceed \$8,460,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$8,460,000

#### **Dukes Sheriff's Office.**

---

8910-8400 For the operation of the Dukes sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these



reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$2,453,748

#### **Nantucket Sheriff's Office.**

---

8910-8500 For the operation of the Nantucket sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$747,844

#### **Norfolk Sheriff's Office.**

---

8910-8600 For the operation of the Norfolk sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$23,980,272

8910-8610	For the Norfolk sheriff's office, which may expend for the operation of the office an amount not to exceed \$2,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$2,500,000
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

### **Plymouth Sheriff's Office.**

---

8910-8700	For the operation of the Plymouth sheriff's office; provided, that funds may be expended for the continued operation of the Plymouth Bristol emergency alert/notification system; provided further, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's For the operation of the Plymouth sheriff's office provided, that funds may be expended for the continued operation of the Plymouth Bristol emergency alert/notification system shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....	\$24,910,825
-----------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

8910-8710	For the Plymouth sheriff's office, which may expend for the operation of the office an amount not to exceed \$16,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$16,000,000
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

### **Suffolk Sheriff's Office.**

---

8910-8800	For the operation of the Suffolk sheriff's office; provided, that for the purpose of maximizing bed capacity and re-entry capability throughout the commonwealth, the sheriff's office shall submit reports, utilizing standardized reporting definitions developed mutually with the department of correction, on caseload, admissions, classification, releases, and recidivism of all pre-trial, sentenced, and federal inmates; provided further, that the office shall submit these
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

reports on a quarterly basis beginning in the quarter ended September 30, 2011, due no later than 30 days after the last day of each quarter; provided further, that each sheriff's office shall also report, in a format developed jointly by the Massachusetts sheriffs' association and the department of correction, on the fiscal year 2010 and fiscal year 2011 total costs per inmate by facility and security level no later than August 1, 2011; and provided further, that the sheriff's office shall submit all reports directly to the executive office for administration and finance, the house and senate committees on ways and means, the joint committee on public safety, and the Massachusetts sheriffs' association .....\$88,042,732

8910-8810 For the Suffolk sheriff's office, which may expend for the operation of the office an amount not to exceed \$8,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$8,000,000

#### **Department of Elder Affairs.**

---

9110-0100 For the operation of the executive office of elder affairs and regulation of assisted living facilities; provided, that the executive office of elder affairs shall report annually to the house and senate committees on ways and means the number of assisted living units certified and the total revenues generated from application and certification fees for such units .....\$1,994,374

9110-1455 For the costs of the drug insurance program authorized by section 39 of chapter 19A of the General Laws; provided, that amounts received by the executive office of elder affairs' vendor as premium revenue for this program may be retained and expended by the vendor for the purposes of the program; provided further, that funds shall be expended for the operation of the pharmacy outreach program established in section 4C of said chapter 19A; provided further, that notwithstanding any general or special law to the contrary, unless otherwise prohibited by state or federal law, prescription drug coverage or benefits payable by the executive office of elder affairs and the entities with which it has contracted for administration of the subsidized catastrophic drug insurance program pursuant to said section 39 of said chapter 19A, shall be the payer of last resort for this program for eligible persons with regard to any other third-party prescription coverage or benefits available to such eligible persons; provided further, that the executive office shall notify the house and senate committees on ways and means not less than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that notification shall be given to the house and senate committees on ways and means at least 30 days prior to any coverage or benefits expansions; provided further, that the executive office shall seek to obtain maximum federal funding for discounts on prescription drugs available to the executive office and to prescription advantage enrollees; provided further, that the executive office shall take steps for the coordination of benefits with

	the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take advantage of this benefit; provided further, that a person shall also be eligible to enroll in the program at any time within a year after reaching age 65; and provided further, that the executive office shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year.....	\$21,602,546
9110-1500	For the provision of enhanced home care services, including case management to elders who meet the eligibility requirements of the home care program and need services above the level customarily provided under the program to remain safely at home, including elders previously enrolled in the managed care in housing, enhanced community options, and chronic care enhanced services programs; provided, that the secretary shall seek to obtain federal financial participation for all services provided to seniors who qualify for Medicaid benefits under the section 1915C waiver; provided further, that the executive office shall collect income data on persons receiving services provided in this item; provided further, that the executive office shall submit a report to the house and senate committees on ways and means detailing the population served by this item delineated by both 2011 federal poverty income levels and 2011 social security income standards; provided further, that the report shall be submitted not later than February 1, 2012; and provided further, that the executive office shall submit a report not later than October 14, 2011, to the house and senate committees on ways and means which shall include the number of individuals on a waiting list for these services on October 1, 2011, compared to the number of individuals on a waiting list on July 1, 2011 .....	\$45,789,340
9110-1604	For the operation of the supportive senior housing program at state or federally-assisted housing sites; provided, that funds shall be expended to fund existing sites .....	\$4,014,802
9110-1630	For the operation of the elder home care program, including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services, geriatric mental health services, and other services provided to the elderly; provided, that sliding-scale fees shall be charged to qualified elders; provided further, that the secretary of elder affairs may waive collection of sliding-scale fees in cases of extreme financial hardship; provided further, that not more than \$11,500,000 in revenues accrued from sliding-scale fees shall be retained by the individual home care corporations without re-allocation by the executive office of elder affairs, and shall be expended for the purposes of the home care program, consistent with guidelines to be issued by the executive office; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from the sliding-scale fees; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means and the executive office for administration and finance on the amount expended from this item for purchase of service expenditures by category of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R.	

3.06; provided further, that no rate increase shall be awarded in fiscal year 2012 which would cause a reduction in client services or the number of clients served; provided further, that no funds shall be expended from this item to pay for salary increases for direct service workers who provide state-funded homemaker and home health aid services which would cause a reduction in client services; provided further, that funding shall be expended for provider training and outreach to lesbian, gay, bisexual, and transgender elders and caregivers; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated in this item to item 9110-1633 for case management services and the administration of the home care program .....\$97,780,898

9110-1633	For the operation of the elder home care case management program, including contracts with aging service access points, or other qualified entities for home care case management services and the administration of the home care corporations funded through item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of administrative personnel, home care case managers, travel, rent and other costs deemed appropriate by the executive office of elder affairs; provided further, that no funds appropriated in this item shall be expended for the enhancement of management information systems; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated herein to item 9110-1630 .....\$35,738,377
9110-1636	For the elder protective services program, including, but not limited to, protective services case management, guardianship services, the statewide elder abuse hotline, money management services, and the elder-at-risk program .....\$16,250,554
9110-1660	For congregate and shared housing services and naturally occurring retirement communities for the elderly; provided, that funds shall be expended for naturally occurring retirement communities funded from item 9110-1660 of chapter 182 of the acts of 2008 at not less than 15.5 per cent of their appropriations therein.....\$1,610,617
9110-1700	For residential assessment and placement programs for homeless elders .....\$136,000
9110-1900	For the elder nutrition program; provided, that funds shall be expended for the senior farm share program.....\$6,325,328
9110-2500	For the Massachusetts department of elder affairs, which may expend not more than \$750,000 from revenues from federal reimbursements received for the purpose of operating the Veterans Independence Plus Initiative, a joint initiative of the United States Department of Veterans Affairs and the United States Administration on Aging.....\$750,000
9110-9002	For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary of elder affairs; and provided further, that such

distribution schedules shall be submitted to the house and senate  
committees on ways and means .....\$8,254,327

---

## LEGISLATURE.

---

### Senate.

---

9500-0000 For the operation of the senate .....\$17,350,256  
9510-0000 For expenses incurred by the senate related to the joint committee  
on redistricting; prior appropriation continued .....\$750,000

### House of Representatives.

---

9600-0000 For the operation of the house of representatives .....\$34,324,791  
9610-0000 For expenses incurred by the house of representatives related to the  
joint committee on redistricting; prior appropriation continued .....\$750,000

### Joint Legislative Expenses.

---

9700-0000 For the joint operations of the legislature .....\$7,733,424

---

## SECTION 2B.

---

SECTION 2B. Notwithstanding any general or special law to the contrary, the agencies listed in this section may expend the amounts listed in this section for the provision of services to agencies listed in section 2. All expenditures made under this section shall be accompanied by a corresponding transfer of funds from an account listed in section 2 to the Intragovernmental Service Fund, established by section 2Q of chapter 29 of the General Laws. All revenues and other inflows shall be based on rates published by the seller agency that are developed in accordance with cost principles established by the United States Office of Management and Budget Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments." All rates shall be published within 30 days of the enactment of this section. No expenditures shall be made from the Intragovernmental Service Fund which would cause that fund to be in deficit at the close of fiscal year 2012. All authorizations in this section shall be charged to the Intragovernmental Service Fund and shall not be subject to section 5D of chapter 29 of the General Laws. Any balance remaining in that fund at the close of fiscal year 2012 shall be transferred to the General Fund.

---

## OFFICE OF THE SECRETARY OF STATE.

---

0511-0003 For the costs of providing electronic and other publications  
purchased from the state bookstore, for commission fees, notary  
fees and for direct access to the secretary's computer library .....\$16,000  
0511-0235 For the costs of obsolete records destruction incurred by the office of  
the secretary of state; provided, that state agencies, including the  
judicial branch, may be charged for the destruction of their obsolete  
records by the records center where appropriate; provided further,

that the secretary of state may expend revenues not to exceed \$100,000 of the funds received for the costs of the obsolete record destruction; and provided further, that the fees shall be charged on an equitable basis.....\$100,000

---

## **TREASURER AND RECEIVER-GENERAL.**

---

0699-0018 For the cost of debt service for the fiscal year ending June 30, 2012 for the clean energy investment program and other projects or programs for which an agency has committed to fund the associated debt service; provided, that the treasurer may charge other appropriations and federal grants for the cost of the debt service .....\$6,217,722

---

## **OFFICE OF THE STATE COMPTROLLER.**

---

1000-0005 For the cost of the single state audit for the fiscal year ending June 30, 2012; provided, that the comptroller may charge other appropriations and federal grants for the cost of the audit.....\$1,000,000

1000-0008 For the costs of operating and managing the MMARS and New MMARS accounting system for fiscal year 2012; provided, that any unspent balance at the close of fiscal year 2012 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2013 .....\$2,799,812

---

## **EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

---

### **Office of the Secretary.**

---

1100-1701 For the cost of information technology services provided to agencies of the executive office of administration and finance .....\$40,503,170

---

## **DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE.**

---

1102-3224 For the costs for the Leverett Saltonstall building lease and occupancy payments; provided, that the division of capital asset management and maintenance shall submit to the house and senate committees on ways and means on or before the first of each month beginning July 1, 2011 a monthly report on the agencies that currently, or will during fiscal year 2012 occupy space in the Saltonstall building, their rental costs, utility costs, parking space allocation, floor space, lease dates, all services included in the lease and all services that the agencies are obligated to fund beyond the lease payments; and provided further, that the report shall include both estimated payments and prior expenditures .....\$11,217,734

### **Bureau of State Office Buildings.**

---

1102-3333 For the operation and maintenance of state buildings, including reimbursement for overtime expenses, materials and contract services purchased in performing renovations and related services

	for agencies occupying state buildings or for services rendered to approved entities using state facilities .....	\$165,000
1102-3336	For the operation and maintenance of the space in the Hurley state office building occupied by the division of unemployment assistance .....	\$3,133,900

## **Reserves.**

---

1599-2040	For the payment of prior year deficiencies based upon schedules provided to the house and senate committees on ways and means; provided, that the comptroller may charge departments' current fiscal year appropriations and transfer to such items amounts equivalent to the amounts of any prior year deficiency, subject to the conditions stated in this item; provided further, that the comptroller shall only assess chargebacks to those current fiscal year appropriations when the account to which the chargeback is applied is the same account to which the prior year deficiency pertains or, if there is no such account, to the current fiscal year appropriation for the general administration of the department that administered the account to which the prior year deficiency pertains; provided further, that no chargeback shall be made which would cause a deficiency in any current fiscal year item; provided further, that the comptroller shall report with such schedule a detailed reason for the prior year deficiency on all chargebacks assessed that exceed \$1,000 including the amount of the chargeback, the item and object class charged; and provided further, that the comptroller shall report on a quarterly basis on all chargebacks assessed, including the amount of the chargeback, the item, object class charged and the reason for the prior year deficiency .....	\$10,000,000
1599-3100	For the cost of the commonwealth's employer contributions to the Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the secretary of administration and finance shall authorize the collection, accounting and payment of such contributions; and provided further, that in executing these responsibilities the comptroller may charge, in addition to individual appropriation accounts, certain non-appropriated funds in amounts that are computed on the same basis as the commonwealth's contributions are determined, including expenses, interest expense or related charges .....	\$34,000,000

## **Division of Human Resources.**

---

1750-0101	For the cost of goods and services rendered in administering training programs, including the cost of training unit staff; provided, that the division shall charge to other items for the cost of participants enrolled in programs sponsored by the division or to state agencies employing such participants; provided further, that the division may collect from participating state agencies a fee sufficient to cover administrative costs of the commonwealth's performance recognition programs and to expend such fees for goods and services rendered in the administration of these programs; and provided further, that the division may charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the administration of information
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



technology services related to the human resources compensation management system program.....\$282,628

1750-0105

For the cost of workers' compensation paid to public employees; provided, that the secretary of administration and finance shall charge other items or state agencies for costs incurred on behalf of these state agencies; provided further, that the secretary may transfer workers' compensation-related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that no funds shall be expended from this item that would cause the item to be deficient; provided further, that the secretary shall provide projected costs of workers' compensation costs incurred by agencies in fiscal year 2012 to the house and senate committees on ways and means no later than March 2, 2012; provided further, that in accordance with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge state agencies in fiscal year 2012 as provided in this item for workers' compensation costs, including related administrative expenses incurred on behalf of the employees of the agencies; provided further, that administrative expenses shall be allocated; provided further, that the personnel administrator shall administer the charges on behalf of the secretary, and may establish such rules and procedures as deemed necessary to implement this item; provided further, that the personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be used in fiscal year 2012; (2) notify agencies of the amount of their estimated workers compensation charges for the fiscal year; and (3) require agencies to encumber funds in an amount sufficient to meet the estimated charges; provided further, that the estimated charges for each agency in the fiscal year shall be not less than the amount of the actual workers' compensation costs, including related administrative expenses, incurred by each such agency in fiscal year 2012 and may include such additional amounts as the human resources division finds necessary under regulations adopted under this item; provided further, that the division may adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for any agency that fails within 30 days of the effective date of this act to encumber funds sufficient to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency; provided further, that the personnel administrator shall: (1) determine the amount of the actual workers' compensation costs incurred by each agency in the preceding month, including related administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to each agency's accounts as estimates of the costs to be incurred in the current month; provided further, that notwithstanding any general or special law to the contrary, any balance remaining in the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2012 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2013; provided further, that the personnel administrator may expend in fiscal year 2012 for hospital, physician, benefit, and other costs related to workers' compensation for employees of state agencies, including administrative expenses; and provided further, that such

	expenditures may include payments for medical services provided to claimants in prior fiscal years, as well as compensation benefits and associated costs for prior fiscal years .....	\$57,040,378
1750-0106	For the workers' compensation litigation unit, including the costs of personnel .....	\$684,091
1750-0600	For the cost of core human resources administrative processing functions .....	\$2,500,000
1750-0601	The human resources division may, on behalf of the division, the comptroller's office and the Information technology division, charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the administration of the human resources compensation management system program.....	\$6,773,950

### **Operational Services Division.**

---

1775-0800	For the purchase, operation and repair of certain vehicles and for the cost of operating and maintaining all vehicles that are leased by other agencies, including the costs of personnel .....	\$7,600,000
1775-1000	For printing, photocopying, and related graphic art or design work, including all necessary incidental expenses and liabilities; provided, that the secretary for administration and finance shall charge to other items of appropriation within the agencies of the executive branch for such services, including the costs of personnel .....	\$1,000,000

### **Information Technology Division.**

---

1790-0200	For the cost of computer resources and services provided by the information technology division in accordance with the policies, procedures and rates approved by the secretary for administration and finance, including the purchase, lease or rental of telecommunications lines, services and equipment, that are centrally billed to the commonwealth; provided, that the secretary shall charge other items of appropriation for the cost of the resources and services; provided further, that notwithstanding any general or special law to the contrary, charges for the cost of computer resources and services provided by the bureau of computer services for the design, development, and production of reports and information related to the analysis, development and production of appropriations bills and other legislation shall not be charged to any item of appropriation of the executive office for administration and finance, the house of representatives, the senate or any joint legislative account in fiscal year 2012; provided further, that the bureau shall submit quarterly reports to the house and senate committees on ways and means summarizing the total charges, payments and services provided for the preceding quarter from each department charged to this item; provided further, that the reports shall include, but not be limited to, a delineation of the rates charged to each department as approved by the secretary for administration and finance for each service performed by the division; provided further, that the secretary for administration and finance shall	
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

establish regulations, procedures and a schedule of fees including, but not limited to, the development and distribution of forms and instructions, including the costs of personnel; and provided further, that any unspent balance at the close of fiscal year 2012 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and may be expended for the item in fiscal year 2013 .....\$66,377,703

1790-0400 For the purchase, delivery, handling of and contracting for supplies, postage and related equipment and other incidental expenses provided pursuant to section 51 of chapter 30 of the General Laws.....\$2,363,022

---

## EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

---

2000-1701 For the cost of information technology services provided to agencies of the executive office of energy and environment.....\$4,789,108

---

## EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

---

### Office of the Secretary.

---

4000-0102 For the cost of transportation services for health and human services clients and the operation of the health and human services transportation office .....\$8,086,443

4000-0103 For the costs of core administrative functions performed within the executive office of health and human services; provided, that the secretary of the executive office of health and human services may, notwithstanding any general or special law to the contrary, identify administrative activities and functions common to the separate agencies, departments, offices, divisions, and commissions within the executive office and may designate such functions as core administrative functions in order to improve administrative efficiency and preserve fiscal resources; provided further, that common functions that may be designated core administrative functions include human resources, financial management and leasing and facility management; provided further, that all employees performing functions so designated may be employed by the executive office, and the executive office shall charge the agencies, departments, offices, divisions and commissions for such services; provided further, that upon the designation of a function as a core administrative function, the employees of each agency, department, office or commission who perform such core administrative functions may be transferred to the executive office of health and human services; provided further, that the reorganization shall not impair the civil service status of any such transferred employee who immediately before the effective date of this act either holds a permanent appointment in a position classified under chapter 31 of the General Laws or has tenure in a position by reason of section 9A of chapter 30 of the General Laws; and provided further, that nothing in this item shall impair or change an employee's status, rights, or benefits under chapter 150E of the General Laws .....\$20,003,583

4000-1701	For the cost of information technology services provided to agencies of the executive office of health and human services .....	\$31,441,744
-----------	---------------------------------------------------------------------------------------------------------------------------------	--------------

---

**Massachusetts Commission for the Deaf and Hard of Hearing.**

---

4125-0122	For the costs of interpreter services provided by commission staff; provided, that the costs of personnel may be charged to this item; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....	\$250,000
-----------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------

---

**Department of Public Health.**

---

4510-0108	For the costs of pharmaceutical drugs and services provided by the state office for pharmacy services, in this section called SOPS; provided, that SOPS shall notify in writing all agencies listed below of their obligations under this item by July 15, 2011; provided further, that SOPS shall continue to be the sole provider of pharmacy services for the following agencies currently under SOPS: the department of public health, the department of mental health, the department of developmental services, the department of correction, the department of youth services, the sheriff's departments of Bristol, Essex, Franklin, Hampden, Hampshire, and Plymouth, and the Soldiers Homes in Holyoke and Chelsea; provided further, that SOPS shall become the sole provider of pharmacy services to the following agencies currently not being serviced by SOPS: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall be the sole provider of pharmacy services for all said agencies and all costs for pharmacy services shall be charged by this item; provided further, that said agencies shall not charge or contract with any other alternative vendor for pharmacy services other than SOPS; provided further, that SOPS shall develop an implementation plan to transition the following agencies within the current fiscal year: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall validate previously-submitted pharmacy expenditures including HIV Drug Assistance Program drug reimbursements during fiscal year 2012; provided further, that SOPS shall continue to work to reduce medication costs, provide standardized policies and procedures in a clinically responsible manner, provide comprehensive data analysis and improve the quality of clinical services; provided further, that SOPS shall report to the house and senate committees on ways and means not later than April 16, 2012 detailing the projected savings realized by each transitioning agency in comparison to their pharmacy costs in fiscal year 2011 and their projected savings for fiscal year 2013; and provided further, that the report shall also provide recommendations for the inclusion of other entities that may realize cost savings by joining SOPS .....	\$47,865,393
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

4590-0901	For the costs of medical services provided at public health hospitals pursuant to a schedule of services and fees approved by the	
-----------	-----------------------------------------------------------------------------------------------------------------------------------	--

commissioner of public health, which may be expended for the purposes of hospital related costs, including, but not limited to, capital repair and the maintenance and motor vehicle replacement; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system .....\$150,000

4590-0903 For the costs of medical services provided at the department of public health Lemuel Shattuck hospital to inmates of the county correctional facilities; provided, that the costs shall be charged to items 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145, 8910-0619, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, 8910-8700 and 8910-8800 of section 2 pursuant to the provisions thereof; provided further, that expenditures from this item shall be for hospital-related costs including, but not limited to, capital repair and the maintenance and motor vehicle replacement; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system .....\$3,800,000

---

#### **Department of Developmental Services.**

---

5948-0012 For a program providing alternatives to residential placements for children with intellectual disabilities, including the costs of intensive home-based supports, provided in item 7061-0012 of section 2; provided, that the department of developmental services shall take all steps necessary to maximize federal reimbursement for the cost of services provided through the program, including filing any necessary amendments to existing waivers or filing an application for a new home and community-based services waiver with the Centers for Medicare and Medicaid Services .....\$6,500,000

---

### **EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.**

---

---

#### **Office of the Secretary.**

---

7002-0018 For the cost of information technology services provided to agencies of the executive office of housing and economic development .....\$3,649,696

---

### **EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.**

---

---

#### **Office of the Secretary.**

---

7003-0171 For the cost of information technology services provided to agencies of the executive office of labor and workforce development .....\$19,041,430

---

## EXECUTIVE OFFICE OF EDUCATION.

---

### Office of the Secretary.

---

7009-1701	For the cost of information technology services provided to agencies of the executive office of education .....	\$1,837,477
-----------	-----------------------------------------------------------------------------------------------------------------	-------------

---

## EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

---

8000-1701	For the cost of information technology services provided to agencies of the executive office of public safety and security .....	\$11,462,348
-----------	----------------------------------------------------------------------------------------------------------------------------------	--------------

### State Police.

---

8100-0002	For the costs of overtime associated with requested police details; provided, that for the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system.....	\$33,000,000
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------

8100-0003	For the costs associated with the use of the statewide telecommunications system for the maintenance of the system .....	\$156,375
-----------	--------------------------------------------------------------------------------------------------------------------------	-----------

### Military Division.

---

8700-1145	For the costs of utilities and maintenance and for the implementation of energy conservation measures with regard to the state armories .....	\$300,000
-----------	-----------------------------------------------------------------------------------------------------------------------------------------------	-----------

### Department of Correction.

---

8900-0021	For the cost of products produced by the prison industries and farm program and for the cost of services provided by inmates, including the costs of moving, auto repair, culinary and renovation and construction services; provided, that the costs for renovation and construction services shall not exceed the amount established by the operational services division; and provided further, that such revenues may also be expended for materials, supplies, equipment, maintenance of facilities and compensation of employees and for the inmate employment and training program.....	\$6,050,000
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------

---

## SECTION 2D.

---

SECTION 2D. The amounts set forth in this section are hereby appropriated from the General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this section shall be expended only in accordance with section 6B of chapter 29 of the General Laws. The amount of any unexpended balance of federal grant funds received prior to June 30, 2011, and not included as part of an appropriation item in this section, is hereby made available for expenditure during fiscal year 2012, in addition to any amount appropriated in this section.

---

---

## JUDICIARY.

---

0320-1700	For the purposes of a federally funded grant entitled, State Court Improvement Program Basic Grant .....	\$240,000
0320-1701	For the purposes of a federally funded grant entitled, CIP Data Sharing Grant .....	\$107,860
0320-1703	For the purposes of a federally funded grant entitled, CIP Training Grant.....	\$198,000

---

---

## DISTRICT ATTORNEYS.

---

### Northern District Attorney.

---

8000-4620	For the purposes of a federally funded grant entitled, Violence Against Women Act .....	\$49,538
-----------	-----------------------------------------------------------------------------------------	----------

### Eastern District Attorney.

---

0340-0305	For the purposes of a federally funded grant entitled, Enhanced Youthful Diversion .....	\$63,738
0340-0371	For the purposes of a federally funded grant entitled, Enhanced Vertical Prosecution.....	\$125,000

### Middle District Attorney.

---

0840-0110	For the purposes of a federally funded grant entitled, Victims of Crime Act .....	\$47,349
8000-4620	For the purposes of a federally funded grant entitled, Violence Against Women Act .....	\$13,420

### Hampden District Attorney.

---

0340-0590	For the purposes of a federally funded grant entitled, Community Oriented Policing Services .....	\$229,305
-----------	---------------------------------------------------------------------------------------------------	-----------

### Plymouth District Attorney.

---

0340-0821	For the purposes of a federally funded grant entitled, Brockton's Promise Youth Mentoring .....	\$34,621
0340-0823	For the purposes of a federally funded grant entitled, Child Sexual Predator Program .....	\$43,194
0340-0825	For the purposes of a federally funded grant entitled, ARRA-Justice Assistance Grant Local Solicitation .....	\$275,000

### Cape and Islands District Attorney.

---

0340-1013	For the purposes of a federally funded grant entitled, Federal Forfeiture Trust Account .....	\$55,000
8000-4620	For the purposes of a federally funded grant entitled, Violence Against Women Act .....	\$55,000

---

#### **Berkshire District Attorney.**

---

8100-2639	For the purposes of a federally funded grant entitled, Internet Crimes Against Children – ARRA .....	\$38,626
-----------	------------------------------------------------------------------------------------------------------	----------

---

#### **District Attorneys' Association.**

---

0340-2112	For the purposes of a federally funded grant entitled, Community Oriented Policing Services .....	\$25,000
8000-4620	For the purposes of a federally funded grant entitled, Violence Against Women Act .....	\$44,150
8000-4804	For the purposes of a federally funded grant entitled, Highway Safety Division .....	\$42,058

---

### **SECRETARY OF STATE.**

---

0521-0800	For the purposes of a federally funded grant entitled, Election Assistance for Disabled Individuals .....	\$700,041
0526-0114	For the purposes of a federally funded grant entitled, Historic Preservation Survey and Planning .....	\$908,000

---

### **TREASURER AND RECEIVER-GENERAL.**

---



---

#### **Massachusetts Cultural Council.**

---

0640-9716	For the purposes of a federally funded grant entitled, Folk and Traditional Arts Initiatives .....	\$25,000
0640-9717	For the purposes of a federally funded grant entitled, Basic State Grant .....	\$688,500
0640-9718	For the purposes of a federally funded grant entitled, Artists in Education .....	\$62,100
0640-9724	For the purposes of a federally funded grant entitled, Youth Reach State and Regional Programs .....	\$240,500

---

### **ATTORNEY GENERAL.**

---

0810-0026	For the purposes of a federally funded grant entitled, Crime Victim Compensation .....	\$1,000,000
-----------	----------------------------------------------------------------------------------------	-------------



0840-0110	For the purposes of a federally funded grant entitled, Victims of Crimes Assistance Program .....	\$6,620,936
-----------	---------------------------------------------------------------------------------------------------	-------------

---

**Victim and Witness Assistance Board.**

---

0840-0109	For the purposes of a federally funded grant entitled, Victim of Crimes Assistance Program – ARRA.....	\$310,000
0840-0110	For the purposes of a federally funded grant entitled, Victims of Crime Assistance Programs .....	\$7,593,010
0840-4611	For the purposes of a federally funded grant entitled, Byrne Federal Grant .....	\$307,500
0840-4620	For the purposes of a federally funded grant entitled, VAWA Federal Grant.....	\$274,050

---

**MASSACHUSETTS DEVELOPMENTAL DISABILITIES COUNCIL.**

---

1100-1703	For the purposes of a federally funded grant entitled, Implementation of the Federal Developmental Disabilities Act; provided, that in order to qualify for said grant, this account shall be exempt from the first \$290,000 of fringe benefit and indirect cost charges pursuant to section 6B of chapter 29 of the General Laws .....	\$1,840,016
1100-1704	For the purposes of a federally funded grant entitled, Further Development of Developmental Disabilities Suite .....	\$183,949

---

**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.**

---

**Massachusetts Office on Disability.**

---

1107-2450	For the purposes of a federally funded grant entitled, Client Assistance Program .....	\$222,000
-----------	----------------------------------------------------------------------------------------	-----------

**Department of Revenue.**

---

1201-0109	For the purposes of a federally funded grant entitled, Access and Visitation - Parent Education Program .....	\$222,169
1201-0126	For the purposes of a federally funded grant entitled, Family Centered Services for Unwed Parents in the IVD Caseload.....	\$149,511
1201-0127	For the purposes of a federally funded grant entitled, Health Care-Medical Support in Child Support Enforcement .....	\$22,834
1201-0128	For the purposes of a federally funded grant entitled, CSE Modification Grant .....	\$91,748
1201-0412	For the purposes of federally funded grants entitled, Child Support Enforcement Grants, Child Support IVD Companion account to CSE Demonstration Grants .....	\$601,721

---

---

## EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

---

### Office of the Secretary.

---

2000-0141	For the purposes of a federally funded grant entitled, Coastal Zone Management and Development .....	\$2,535,378
2000-0142	For the purposes of a federally funded grant entitled, CZ Coastal Hazards .....	\$113,872
2000-0186	For the purposes of a federally funded grant entitled, Aquatic Nuisance Species Management Plan .....	\$68,210
2000-0248	For the purposes of a federally funded grant entitled, National Estuary Program - Operation .....	\$800,329
2000-0550	For the purposes of a federally funded grant entitled, Pollution Prevention.....	\$10,000
2000-9701	For the purposes of a federally funded grant entitled, Outdoor Recreation Projects - Political Subdivisions .....	\$3,000,000
2000-9735	For the purposes of a federally funded grant entitled, Buzzards Bay Estuary Program .....	\$724,545
2030-0013	For the purposes of a federally funded grant entitled, Fisheries Enforcement .....	\$910,230
2030-0122	For the purposes of a federally funded grant entitled, Ready Response Equipment for Ports of New Bedford, Cape Cod & Islands .....	\$977,201
2030-0124	For the purposes of a federally funded grant entitled, Ready Response Equipment for the Port of Fall River .....	\$512,864
2030-9701	For the purposes of a federally funded grant entitled, Safe Boating Program .....	\$1,795,732

### Department of Public Utilities.

---

7006-9002	For the purposes of a federally funded grant entitled, Pipeline Security.....	\$816,000
-----------	-------------------------------------------------------------------------------	-----------

### Department of Environmental Protection.

---

2200-9706	For the purposes of a federally funded grant entitled, Water Quality Management Planning.....	\$653,422
2200-9712	For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tanks .....	\$1,032,829
2200-9717	For the purposes of a federally funded grant entitled, Environment Restoration Program for Department of Defense.....	\$1,494,183

2200-9724	For the purposes of a federally funded grant entitled, Superfund Block Grant.....	\$924,699
2200-9728	For the purposes of a federally funded grant entitled, Brownfields Assessment Program - Multi-Site Cooperative Agreement.....	\$225,000
2200-9731	For the purposes of a federally funded grant entitled, Brownfield Response.....	\$1,379,375
2200-9732	For the purposes of a federally funded grant entitled, Brownfield Support Team – Statewide.....	\$660,000
2230-9702	For the purposes of a federally funded grant entitled, Air, Water and Hazardous Waste Management Regulatory Programs.....	\$17,346,657
2230-9711	For the purposes of a federally funded grant entitled, Environmental Information Exchange Network .....	\$69,992
2230-9712	For the purposes of a federally funded grant entitled, FY09 Exchange Network – NPDES.....	\$163,058
2230-9713	For the purposes of a federally funded grant entitled, Exchange Network.....	\$17,000
2230-9714	For the purposes of a federally funded grant entitled, FY10 Exchange Network .....	\$150,000
2240-9762	For the purposes of a federally funded grant entitled, Reimbursement to Operators of Small Water Systems for Training and Certification.....	\$164,265
2240-9773	For the purposes of a federally funded grant entitled, Technical Assistance and Training for Drinking Water.....	\$39,868
2230-9775	For the purposes of a federally funded grant entitled, Special Set Aside.....	\$96,249
2230-9776	For the purposes of a federally funded grant entitled, EQE-RP9776-FEM961349 .....	\$22,125
2230-9777	For the purposes of a federally funded grant entitled, Public Water Supply.....	\$26,000
2250-9712	For the purposes of a federally funded grant entitled, Clean Air Act-Fine Particulate Matter Air Monitoring .....	\$745,049
2250-9716	For the purposes of a federally funded grant entitled, Ambient Air Toxics Pilot Project.....	\$455,000
2250-9726	For the purposes of a federally funded grant entitled, Homeland Security Co-op Agreement.....	\$1,344,877
2250-9729	For the purposes of a federally funded grant entitled, Composting and Recycling .....	\$17,000
2230-9730	For the purposes of a federally funded grant entitled, Air Toxic Spatial Trends .....	\$42,000

2230-9731	For the purposes of a federally funded grant entitled, Diesel Emissions Reduction Project.....	\$352,941
2250-9732	For the purposes of a federally funded grant entitled, Underground Storage .....	\$697,745
2230-9735	For the purposes of a federally funded grant entitled, Green House Gas Reporting System .....	\$150,000
2290-3000	For the purposes of a federally funded grant entitled, State Clean Diesel Grant Program.....	\$400,860
2290-3001	For the purposes of a federally funded grant entitled, Natural Diesel – State Fleet Retrofit.....	\$126,000
2290-4000	For the purposes of a federally funded grant entitled, ARRA LUST Trust Fund Program .....	\$782,000

#### **Department of Fish and Game.**

---

2300-0113	For the purposes of a federally funded grant entitled, Natural Resources Conservation Services Emergency Watershed Protection Program .....	\$25,000
2300-0114	For the purposes of a federally funded grant entitled, USFWS Partnership Program .....	\$40,770
2300-0115	For the purposes of a federally funded grant entitled, US Fish and Wildlife Service Eastern Brook Trout Joint Venture .....	\$80,000
2300-0116	For the purposes of a federally funded grant entitled, Riverways - Natural Resource Conservation Services Wildlife Habitat Incentive Program .....	\$149,832
2300-0117	For the purposes of a federally funded grant entitled, USFWS – Coastal Program.....	\$40,000
2300-0179	For the purposes of a federally funded grant entitled, National Coastal Wetland Conservation .....	\$250,000
2310-0115	For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier I .....	\$65,000
2310-0116	For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier II .....	\$200,000
2310-0117	Chronic Wasting Disease .....	\$60,000
2310-0120	For the purposes of a federally funded grant entitled, NE Cottontail Initiative.....	\$120,000
2330-9222	For the purposes of a federally funded grant entitled, Clean Vessel .....	\$850,000
2330-9712	For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics.....	\$150,000

2330-9713	For the purposes of a federally funded grant entitled, Right Whale Conservation .....	\$420,000
2330-9714	For the purposes of a federally funded grant entitled, Commercial Fisheries Extension .....	\$4,000
2330-9721	For the purposes of a federally funded grant entitled, Anadromous Fisheries Management .....	\$41,000
2330-9725	For the purposes of a federally funded grant entitled, Boating Infrastructure .....	\$100,000
2330-9730	For the purposes of a federally funded grant entitled, Interstate Fisheries Management Support .....	\$240,000
2330-9732	For the purposes of a federally funded grant entitled, ACCSP Implementation Strategic Plan .....	\$125,000
2330-9736	For the purposes of a federally funded grant entitled, Marine Fisheries Institute .....	\$600,000
2330-9738	For the purposes of a federally funded grant entitled, Red Tide Economic Relief .....	\$800,000
2330-9739	For the purposes of a federally funded grant entitled, Turtle Disengagement .....	\$850,000
2330-9742	For the purposes of a federally funded grant entitled, Age and Growth Segment One .....	\$250,000

#### **Department of Agricultural Resources.**

---

2511-0310	For the purposes of a federally funded grant entitled, Pesticide Enforcement .....	\$352,200
2511-0400	For the purposes of a federally funded grant entitled, Cooperative Pest Survey Program .....	\$175,000
2511-0401	For the purposes of a federally funded grant entitled, Cooperative Pesticide Recordkeeping Program .....	\$10,000
2511-0972	For the purposes of a federally funded grant entitled, Farmland Protection .....	\$5,955,000
2511-1025	For the purposes of a federally funded grant entitled, Country of Origin Labeling .....	\$102,000
2515-1002	For the purposes of a federally funded grant entitled, Animal Disease Surveillance Homeland Security .....	\$24,750
2515-1004	For the purposes of a federally funded grant entitled, Scrapie Disease Surveillance and Flock Certification .....	\$5,461
2515-1006	For the purposes of a federally funded grant entitled, National Animal Identification System .....	\$7,294

2515-1008	For the purposes of a federally funded grant entitled, Highly Pathogenic Avian Influenza .....	\$70,000
2516-9002	For the purposes of a federally funded grant entitled, Development of Institutional Marketing .....	\$499,000
2516-9003	For the purposes of a federally funded grant entitled, Farmers' Market Coupon Program .....	\$490,000
2516-9004	For the purposes of a federally funded grant entitled, Senior Farmers' Market Nutrition Program .....	\$571,000
2516-9007	For the purposes of a federally funded grant entitled, Organic Certification Cost-Share Program .....	\$60,000

#### **Department of Conservation and Recreation.**

---

2800-9707	For the purposes of a federally funded grant entitled, National Flood Insurance Program .....	\$184,000
2800-9709	For the purposes of a federally funded grant entitled, Map Modernization .....	\$110,000
2800-9722	For the purposes of a federally funded grant entitled, Heritage Landscape Atlas NCPTT Grant .....	\$10,000
2800-9726	For the purposes of a federally funded grant entitled, FEMA National Dam Safety Program .....	\$105,959
2800-9729	For the purposes of a federally funded grant entitled, US Dept of Education Rehabilitation Grand .....	\$168,151
2820-9702	For the purposes of a federally funded grant entitled, Rural Community Fire Protection .....	\$77,000
2820-9704	For the purposes of a federally funded grant entitled, NRCS Wildlife Habitat Incentives Program .....	\$19,510
2820-9705	For the purposes of a federally funded grant entitled, Animal and Plant Health Inspections .....	\$6,305,485
2821-9705	For the purposes of a federally funded grant entitled, Urban and Community Forestry Program .....	\$285,223
2821-9709	For the purposes of a federally funded grant entitled, Forestry Stewardship, Forest Legacy and Conservation Education .....	\$4,605,575
2821-9711	For the purposes of a federally funded grant entitled, Rural Fire Prevention and Control .....	\$308,124
2821-9713	For the purposes of a federally funded grant entitled, Wildland Urban Interface Fuels Management .....	\$334,857
2821-9715	For the purpose of a federally funded grant entitled, Buy Local Model- Forest Stewardship Re-Design Grant .....	\$247,862

2821-9726	For the purposes of a federally funded grant entitled, Forest Health Management - US Forest Service .....	\$112,160
2821-9800	For the purposes of a federally funded grant entitled, ARRA – USFS Native Species Ecological Restoration .....	\$122,192
2821-9801	For the purposes of a federally funded grant entitled, ARRA – USFS Southeast Mass Fuel Mitigation .....	\$315,979
2821-9802	For the purposes of a federally funded grant entitled, USFS ALB Area Watershed Flood Control Reservoir Maintenance Funds.....	\$2,191,024
2830-9705	For the purposes of a federally funded grant entitled, SUASCO Watershed Flood Control Reservoir .....	\$7,014
2840-9709	For the purposes of a federally funded grant entitled, Waquoit Bay National Estuarine Research Reserve Consolidated Funding .....	\$716,055
2840-9715	For the purposes of a federally funded grant entitled, NOAA CECLP Grant.....	\$779,250
2850-9701	For the purposes of a federally funded grant entitled, Recreational Trails Program .....	\$1,091,652
2850-9702	For the purposes of a federally funded grant entitled, Mount Greylock TCSP .....	\$642,587

#### **Department of Energy Resources.**

---

7006-7016	For the purposes of a federally funded grant entitled, Stripper Oil Well.....	\$25,000
7006-7060	For the purposes of a federally funded grant entitled, Energy Efficiency Expand Trust.....	\$293,080
7006-7061	For the purposes of a federally funded grant entitled, Energy Resources Credit.....	\$227,112
7006-9300	For the purposes of a federally funded grant entitled, Mass Save Energy Now .....	\$250,000
7006-9303	For the purposes of a federally funded grant entitled, State Energy Program Advance Energy Codes .....	\$68,000
7006-9304	For the purposes of a federally funded grant entitled, Catalyzing the Home Energy Remodeling Market .....	\$862,659
7006-9720	For the purposes of a federally funded grant entitled, State Heating Oil and Propane Program.....	\$22,228
7006-9730	For the purposes of a federally funded grant entitled, State Energy Program II.....	\$605,000
7006-9743	For the purposes of a federally funded grant entitled, State Energy plan .....	\$100,000

7006-9800	For the purposes of a federally funded grant entitled, ARRA USDOE State Energy Program Ramp Up.....	\$10,016,055
7006-9801	For the purposes of a federally funded grant entitled, ARRA Energy Assistance Planning .....	\$257,480
7006-9803	For the purposes of a federally funded grant entitled, ARRA Mass Energy Efficiency and Conservation Block Grant Program.....	\$1,269,469
7006-9804	For the purposes of a federally funded grant entitled, ARRA Save Energy Now .....	\$24,431

---

## EXECUTIVE OFFICE OF EDUCATION.

---

### Department of Early Education and Care.

---

3000-0708	For the purposes of a federally funded grant entitled, Head Start Collaboration .....	\$175,000
3000-2009	For the purposes of a federally funded grant entitled, ARRA-Child Care Discretionary Funds.....	\$3,569,912
3000-5050	For the purposes of a federally funded grant entitled, the State Advisory Council on Early Childhood Education ARRA Head Start Grant.....	\$441,226
3000-9002	For the purposes of a federally funded grant entitled, Child Abuse Prevention and Treatment Activities.....	\$577,476

### Department of Elementary and Secondary Education.

---

7010-9706	For the purposes of a federally funded grant entitled, Common Core Data Project .....	\$355,000
7032-0217	For the purposes of a federally funded grant entitled, Robert C. Byrd Honors Scholarship Program — Distribution.....	\$811,500
7035-0210	For the purposes of a federally funded grant entitled, Advanced Placement Fee Payment Program .....	\$250,000
7038-0107	For the purposes of a federally funded grant entitled, Adult Basic Education Program.....	\$10,122,643
7038-9004	For the purposes of a federally funded grant entitled, School-Based Programs .....	\$396,319
7043-1001	For the purposes of a federally funded grant entitled, Title I Grants to Local Education Agencies .....	\$224,208,043
7043-1004	For the purposes of a federally funded grant entitled, Migrant Education.....	\$1,673,173



7043-1005	For the purposes of a federally funded grant entitled, Title I Neglected and Delinquent Children.....	\$1,975,418
7043-1006	For the purposes of a federally funded grant entitled, School Improvement Grant.....	\$8,000,000
7043-2001	For the purposes of a federally funded grant entitled, Teacher and Principal Training and Recruiting .....	\$49,768,717
7043-2002	For the purposes of a federally funded grant entitled, Enhancing Education through Technology.....	\$1,413,323
7043-2003	For the purposes of a federally funded grant entitled, Title I Math and Science Partnerships.....	\$2,128,970
7043-3001	For the purposes of a federally funded grant entitled, English Language Acquisition .....	\$12,776,615
7043-4002	For the purposes of a federally funded grant entitled, After School Learning Centers .....	\$18,776,307
7043-6001	For the purposes of a federally funded grant entitled, Grants for State Assessments and Related Activities .....	\$7,655,840
7043-6501	For the purposes of a federally funded grant entitled, Education for Homeless Children and Youth.....	\$970,684
7043-7001	For the purposes of a federally funded grant entitled, Special Education Grants .....	\$281,921,075
7043-7002	For the purposes of a federally funded grant entitled, Preschool Grants.....	\$9,735,461
7043-8001	For the purposes of a federally funded grant entitled, Vocational Education Basic Grants .....	\$18,916,840
7043-8002	For the purposes of a federally funded grant entitled, Technical Preparation Education .....	\$1,648,213
7044-0020	For the purposes of a federally funded grant entitled, Project Focus Academy.....	\$1,160,000
7048-1500	For the purposes of a federally funded grant entitled, High School Graduation Initiative.....	\$3,000,000
7048-2700	For the purposes of a federally funded grant entitled, Teacher Incentive Grant .....	\$7,678,269
7048-9200	For the purposes of a federally funded grant entitled, Data Systems Grant Student Connect.....	\$2,332,414
7053-2008	For the purposes of a federally funded grant entitled, Nuts, Fresh Fruits and Vegetables.....	\$2,081,281
7053-2112	For the purposes of a federally funded grant entitled, Special Assistance Funds .....	\$155,833,146

7053-2117	For the purposes of a federally funded grant entitled, Child Care Program.....	\$51,545,189
7053-2126	For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance.....	\$690,200
7053-2202	For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children .....	\$5,490,849
7062-0008	For the purposes of a federally funded grant entitled, Office of School Lunch Programs — Child Care Program Administration.....	\$2,520,000

#### **Department of Higher Education.**

---

7066-1574	For the purposes of a federally funded grant entitled, Improving Teacher Quality Grants .....	\$1,600,000
7066-1616	For the purposes of a federally funded grant entitled, College Access Challenge Grant .....	\$1,700,000
7066-6033	For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs.....	\$3,500,000
7070-0017	For the purposes of a federally funded grant entitled, Leveraging Educational Assistance Program— Department of Higher Education .....	\$966,853
7110-6019	For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits - Fitchburg State College.....	\$365,000
7114-9713	For the purposes of a federally funded grant entitled, National Science Foundation - Atlantic Partnership .....	\$155,243
7410-3093	For the purposes of a federally funded grant entitled, Polymer Building Construction - University of Massachusetts Amherst.....	\$2,711,376
7503-6557	For the purposes of a federally funded grant entitled, Trio Talent Search - Bristol Community College .....	\$165,124
7503-9711	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Bristol Community College .....	\$370,607
7503-9714	For the purposes of a federally funded grant entitled, Upward Bound Program — Bristol Community College.....	\$259,073
7509-1490	For the purposes of a federally funded grant entitled, Educational Opportunities Centers Payroll — Mount Wachusett Community College.....	\$235,000
7509-9714	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Mount Wachusett Community College .....	\$230,000
7509-9717	For the purposes of a federally funded grant entitled, Upward Bound Math and Science Program – Mount Wachusett Community College .....	\$123,000

7509-9718	For the purposes of a federally funded grant entitled, Talent Search — Mount Wachusett Community College .....	\$240,000
7509-9720	For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs 2011— Mount Wachusett Community College .....	\$530,000
7511-9711	For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — North Shore Community College.....	\$493,000
7511-9740	For the purposes of a federally funded grant entitled, Upward Bound — North Shore Community College .....	\$380,000
7511-9750	For the purposes of a federally funded grant entitled, Talent Search— North Shore Community College.....	\$230,000
7518-6127	For the purposes of a federally funded grant entitled, College Work Study Program - Bunker Hill Community College .....	\$331,452

---

## EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

---

### Office of the Secretary.

---

4000-0024	For the purposes of a federally funded grant entitled, Consumer Assistance Grant .....	\$290,722
4000-0033	For the purposes of a federally funded grant entitled, State Demonstration to Integrate Care for Dual Eligible Individuals.....	\$833,000
4000-0323	For the purposes of a federally funded grant entitled, Personal and Home Care Aid State Training Program.....	\$738,993
4000-0544	For the purposes of a federally funded grant entitled, CHIPRA Quality Demonstration Grant.....	\$2,666,404
4000-7590	For the purposes of a federally funded grant entitled, Virtual Gateway School Nutrition Grant .....	\$45,000
4000-0826	For the purposes of a federally funded grant entitled, Money Follows the Person Demonstration Grant.....	\$13,000,000
4000-9058	For the purposes of a federally funded grant entitled, My Child.....	\$1,875,000
4000-9401	For the purposes of a federally funded grant entitled, Community Mental Health Services.....	\$8,050,963

### Office for Refugees and Immigrants.

---

4003-0801	For the purposes of a federally funded grant entitled, Targeted Assistance Program .....	\$335,000
4003-0803	For the purposes of a federally funded grant entitled, Refugee School Impact .....	\$421,375

4003-0804	For the purposes of a federally funded grant entitled, Refugee Targeted Assistance Grant.....	\$612,539
4003-0805	For the purposes of a federally funded grant entitled, Refugee Resettlement Program.....	\$1,452,497
4003-0806	For the purposes of a federally funded grant entitled, Refugee Cash, Medical, and Administration .....	\$8,364,672
4003-0811	For the purposes of a federally funded grant entitled, Massachusetts Refugee Entrepreneurship Program .....	\$250,705
4003-0812	For the purposes of federally funded grant entitled, Program to Enhance Refugee Elder Services .....	\$215,000
4003-0813	For the purpose of a federally funded grant entitled, A Cuban-Haitian Initiative for Entry into Viable Employment(ACHIEVE) .....	\$195,000
4003-0814	For the purpose of a federally funded grant entitled, Massachusetts Refugee Preventative Health Project(MRPHP) .....	\$200,000
4003-0815	For the purposes of a federally funded grant entitled Massachusetts Wilson/Fish Program(MWFP) .....	\$3,465,070

#### **Massachusetts Commission for the Blind.**

---

4110-3020	For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees .....	\$150,000
4110-3021	For the purposes of a federally funded grant entitled, Basic Support Grant .....	\$9,200,000
4110-3023	For the purposes of a federally funded grant entitled, Independent Living - Adaptive Housing .....	\$75,550
4110-3026	For the purposes of a federally funded grant entitled, Independent Living - Services to Older Blind Americans .....	\$774,609
4110-3027	For the purposes of a federally funded grant entitled, Rehabilitation Training .....	\$29,280
4110-3028	For the purposes of a federally funded grant entitled, Supported Employment for the Blind .....	\$128,100
4110-3030	For the purposes of a federally funded grant entitled, ARRA- Basic Support .....	\$51,418
4110-3032	For the purposes of a federally funded grant entitled, ARRA-Older independent Blind .....	\$5,183

#### **Massachusetts Rehabilitation Commission.**

---

4120-0020	For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees .....	\$44,148,383
4120-0021	For the purposes of a federally funded grant entitled, ARRA- Basic Vocational Rehabilitation Support .....	\$522,825
4120-0040	For the purposes of a federally funded grant entitled, Vocational Rehabilitation and Comprehensive Systems of Personnel Development Training .....	\$92,700
4120-0187	For the purposes of a federally funded grant entitled, Supported Employment Program Federal Funds .....	\$458,611
4120-0191	For the purposes of a federally funded grant entitled, Informed Members Planning and Assessing Choices Together .....	\$177,829
4120-0511	For the purposes of a federally funded grant entitled, Disability Services - Determination. ....	\$45,262,721
4120-0603	For the purposes of a federally funded grant entitled, Innovation Strategies for Transition Youth with Disabilities .....	\$401,787
4120-0608	For the purposes of a federally funded grant entitled, Traumatic Brain Injury (TBI) Implementation Grant .....	\$256,304
4120-0760	For the purposes of a federally funded grant entitled, Independent Living Federal Grant .....	\$1,554,180
4120-0761	For the purposes of a federally funded grant entitled, ARRA - State Independent Living Services .....	\$163,780
4120-0762	For the purposes of a federally funded grant entitled, ARRA- Centers for Independent Living Recovery Act .....	\$794,196
4120-0768	For the purposes of a federally funded grant entitled, Assistive Technology Act.....	\$505,715

#### **Department of Veterans' Services.**

---

1410-0054	For the purposes of a federally funded grant entitled, Homeless Veterans' Reintegration, Training and Placement.....	\$200,000
1410-0055	For the purposes of a federally funded grant entitled, Homeless Veterans' Reintegration Program Urban-Worcester .....	\$300,000
1410-0056	For the purposes of a federally funded grant entitled, Veterans' Workforce Investment.....	\$500,000

#### **Department of Transitional Assistance.**

---

4400-1998	For the purposes of a federally funded grant entitled, DOD Supplemental Nutrition Assistance Program Administration Funding .....	\$1,000,000
-----------	-----------------------------------------------------------------------------------------------------------------------------------	-------------

4400-3067	For the purposes of a federally funded grant entitled, Supplemental Nutrition Assistance Program Employment and Training.....	\$2,100,000
4400-3068	For the purposes of a federally funded grant entitled, Reaching Underserved Elderly and Working Poor in SNAP .....	\$100,000
4400-3069	For the purposes of a federally funded grant entitled, Full Employment SNAP Cash Out .....	\$15,000
4400-3064	For the Purpose of SNAP nutrition education .....	\$3,000,000
4400-3080	For the purpose of a federally funded grant entitled, SNAP Healthy Incentive Pilot (HIP) grant.....	\$2,696,698

#### **Department of Public Health.**

---

4500-1000	For the purposes of a federally funded grant entitled, Preventive Health Services Block Grant.....	\$2,708,393
4500-1030	For the purposes of a federally funded grant entitled, Strengthening Public Health Infrastructure .....	\$1,960,128
4500-1050	For the purposes of a federally funded grant entitled, Rape Prevention and Education .....	\$813,484
4500-1051	For the purposes of a federally funded grant entitled, Sexual Assault Services Program .....	\$198,380
4500-1054	For the purposes of a federally funded grant entitled, Sexual Assault Services Program .....	\$198,380
4500-1060	For the purposes of a federally funded grant entitled, Rape Prevention Program Planning and Evaluation Capacity Building .....	\$100,000
4500-1066	For the purposes of a federally funded grant entitled, 2010 Oil and Hazardous Material State Partnership Grant Program .....	\$140,000
4500-2000	For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant .....	\$11,921,902
4502-1012	For the purposes of a federally funded grant entitled, Cooperative Health Statistics System.....	\$490,482
4510-0109	For the purposes of a federally funded grant entitled, State Loan Repayment Project .....	\$350,000
4510-0113	For the purposes of a federally funded grant entitled, Office of Rural Health .....	\$188,929
4510-0115	For the purposes of a federally funded grant entitled, State Primary Care Offices .....	\$42,701
4510-0116	For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement.....	\$138,656

4510-0119	For the purposes of a federally funded grant entitled, Rural Hospital Flexibility Program .....	\$320,300
4510-0219	For the purposes of a federally funded grant entitled, Small Rural Hospital Improvement Program.....	\$81,000
4510-0221	For the purposes of a federally funded grant entitled, Targeted Oral Health Services .....	\$160,000
4510-0222	For the purposes of a federally funded grant entitled, Massachusetts Oral Health Workforce in New Sites II .....	\$411,411
4510-0400	For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification .....	\$10,049,537
4510-0404	For the purposes of a federally funded grant entitled, Bioterrorism Hospital Preparedness .....	\$8,141,118
4510-0406	For the purposes of a federally funded grant entitled, Emergency System for Advance Registration of Volunteer Health .....	\$200,000
4510-0408	For the purposes of a federally funded grant entitled, Medical Malpractice and Patient Safety.....	\$926,080
4510-0409	For the purposes of a federally funded grant entitled, Massachusetts System for Advance Registration .....	\$200,000
4510-0500	For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement Amendments .....	\$310,881
4510-0609	For the purposes of a federally funded grant entitled, Nuclear Radiation Commission Security Inspections .....	\$19,373
4510-0619	For the purposes of a federally funded grant entitled, Food and Drug Administration Inspection of Food Establishments .....	\$340,704
4510-0626	For the purposes of a federally funded grant entitled, Statewide Surveillance of Health Concerns and Toxic Algae Blooms .....	\$149,939
4510-0639	For the purposes of a federally funded grant entitled, Food Protection Rapid Response Team.....	\$494,582
4510-0640	For the purposes of a federally funded grant entitled, Mass Food Protection Task Force Conference.....	\$5,000
4510-0641	For the purpose of a federally funded grant entitled, Harold Rogers Drug Monitoring Program .....	\$52,269
4510-0643	For the purposes of a federally funded grant entitled, FY10 Harold Rogers Drug Monitoring: Enhancement of Information Tech (E of IT).....	\$200,000
4510-9014	For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections .....	\$224,394
4510-9048	For the purposes of a federally funded grant entitled, Indoor Radon Development Program.....	\$155,000

4510-9051	For the purposes of a federally funded grant entitled, ATSDR Appletree .....	\$402,895
4510-9053	For the purposes of a federally funded grant entitled, Beaches Environmental Assessment .....	\$263,742
4510-9055	For the purposes of a federally funded grant entitled, Assessment & Planning to Develop Climate Change Programs .....	\$120,000
4510-9056	For the purposes of a federally funded grant entitled, National Environmental Public Health Tracking .....	\$950,844
4510-9057	For the purposes of a federally funded grant entitled, CLPPP Healthy Homes .....	\$600,000
4512-0102	For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control .....	\$1,566,298
4512-0178	For the purposes of a federally funded grant entitled, ARRA – Immunization .....	\$5,679,847
4512-0179	For the purposes of a federally funded grant entitled, Vaccination Assistance Project .....	\$1,146,270
4512-0180	For the purposes of a federally funded grant entitled, Epidemiology and Lab Surveillance .....	\$34,836
4512-0181	For the purposes of a federally funded grant entitled, ARRA - Meningococcal Virus Protection .....	\$301,237
4512-0182	For the purposes of a federally funded grant entitled, ARRA - Preventing Healthcare Associated Infections .....	\$301,237
4512-0184	For the purposes of a federally funded grant entitled, Viral Hepatitis Prevention Services – Integration into Existing Programs .....	\$211,202
4512-0185	For the purposes of a federally funded grant entitled, ARRA – IT-ELC .....	\$211,202
4512-0186	For the purposes of a federally funded grant entitled, Building and Strengthening Epidemiology, Laboratory and Health Information System Capacity .....	\$838,673
4512-9065	For the purposes of a federally funded grant entitled, State Outcomes Measurement and Management System .....	\$150,000
4512-9067	For the purposes of a federally funded grant entitled, Screening and Brief Intervention .....	\$700,000
4512-9068	For the purposes of a federally funded grant entitled, Collaborative for Action, Leadership, and Learning .....	\$523,251
4512-9069	For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant .....	\$38,255,001



4512-9070	For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families .....	\$500,000
4512-9072	For the purposes of a federally funded grant entitled, Access to Recovery.....	\$3,352,000
4512-9426	For the purposes of a federally funded grant entitled, Uniform Alcohol and Drug Abuse Data Collection .....	\$82,227
4513-0111	For the purposes of a federally funded grant entitled, Housing Opportunities - People with AIDS.....	\$146,000
4513-9007	For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants, and Children (WIC) .....	\$95,623,900
4513-9018	For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established Health Education - Risk Reduction .....	\$8,805,373
4513-9020	For the purposes of a federally funded grant entitled, Expanded and Integrated HIV Testing.....	\$929,301
4513-9021	For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Handicaps .....	\$8,019,076
4513-9022	For the purposes of a federally funded grant entitled, Prevention Disability State - Based Project .....	\$279,600
4513-9023	For the purposes of a federally funded grant entitled, Mass HIV/AIDS National Behavioral Surveillance .....	\$402,617
4513-9024	For the purposes of a federally funded grant entitled, Expanded & Integrated HIV Testing (Cycle II) .....	\$922,802
4513-9027	For the purposes of a federally funded grant entitled, MassCare - Community AIDS Resource Enhancement .....	\$879,806
4513-9030	For the purposes of a federally funded grant entitled, Planning a Comprehensive Primary Care System for All MA Children and Youth .....	\$100,000
4513-9037	For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources.....	\$20,481,053
4513-9038	For the purposes of a federally funded grant entitled, Shelter Plus Care – Worcester .....	\$298,836
4513-9039	For the purposes of a federally funded grant entitled, HIV/AIDS Surveillance Enhancing Laboratory Reporting .....	\$89,628
4513-9040	For the purposes of a federally funded grant entitled, AIDS Surveillance and Seroprevalence.....	\$972,637
4513-9046	For the purposes of a federally funded grant entitled, Congenital Anomalies Center of Excellence .....	\$900,000
4513-9051	For the purposes of a federally funded grant entitled, Rural Domestic Violence and Children Victimization Project.....	\$164,047

4513-9060	For the purposes of a federally funded grant entitled, Residential Fire Injury Prevention.....	\$7,109
4513-9066	For the purposes of a federally funded grant entitled, Universal Newborn Hearing Screening - Enhancement Project .....	\$300,000
4513-9071	For the purposes of a federally funded grant entitled, Early Hearing Detection and Intervention - Tracking and Research .....	\$175,000
4513-9076	For the purposes of a federally funded grant program entitled, Early Childhood Comprehensive Systems .....	\$140,000
4513-9077	For the purposes of a federally funded grant entitled, Emergency Medical Services for Children Partnership II .....	\$130,000
4513-9083	For the purposes of a federally funded grant entitled, Massachusetts Youth Suicide Prevention Program .....	\$625,000
4513-9085	For the purposes of a federally funded grant entitled, Massachusetts Pregnancy Risk .....	\$160,950
4513-9088	For the purposes of a federally funded grant entitled, Helping Hands for Infants and their Families .....	\$475,000
4513-9091	For the purposes of a federally funded grant entitled, NHI Health Disparities (READY) .....	\$149,364
4513-9092	For the purposes of a federally funded grant entitled, Addressing Asthma From a Public Health Perspective .....	\$508,880
4513-9093	For the purposes of a federally funded grant entitled, Massachusetts LAUNCH.....	\$850,000
4513-9096	For the purposes of a federally funded grant entitled, ACA Maternal, Infant & Early Childhood Home Visiting Program .....	\$1,776,000
4513-9097	For the purposes of a federally funded grant entitled, Healthy Homes Tech Studies.....	\$333,024
4514-1007	For the purposes of a federally funded grant entitled, AR-WIC/MIS .....	\$346,123
4514-1008	For the purposes of a federally funded grant entitled, WIC Enhanced Referral and Family Support Project .....	\$5,000
4515-0115	For the purposes of a federally funded grant entitled, Tuberculosis Control Project.....	\$1,567,826
4515-0121	For the purposes of a federally funded grant entitled, Tuberculosis Epidemiological Studies Consortium .....	\$265,778
4515-0204	For the purposes of a federally funded grant entitled, Strengthening Surveillance for Infectious Disease .....	\$420,000
4515-0205	For the purposes of a federally funded grant entitled, HIV Training through Prevention Training Centers .....	\$524,970

4515-0206	For the purposes of a federally funded grant entitled, Health Literacy and Oral Health Status of African Refugees .....	\$513,560
4515-0207	For the purposes of a federally funded grant entitled, Health, Training and Technical Assistance to Refugee Serving Agencies.....	\$374,929
4515-1124	For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordination.....	\$56,660
4516-1021	For the purposes of a federally funded grant entitled, Public Health Preparedness and Response for Bioterrorism .....	\$14,285,663
4518-0505	For the purposes of a federally funded grant entitled, Tech Data - Massachusetts Birth/Infant Death File Linkage and Analysis .....	\$52,513
4518-0514	For the purposes of a federally funded grant entitled, National Violent Death Reporting System .....	\$287,569
4518-0534	For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention .....	\$738,946
4518-1000	For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index.....	\$27,500
4518-1002	For the purposes of a federally funded grant entitled, Massachusetts Death File - Social Security Administration .....	\$33,000
4518-1003	For the purposes of a federally funded grant entitled, Massachusetts Birth Records — Social Security Administration .....	\$212,075
4518-9023	For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries .....	\$47,192
4518-9030	For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention Program.....	\$10,378
4518-9033	For the purposes of a federally funded grant entitled, Teen Dating Violence Prevention.....	\$16,767
4518-9041	For the purposes of a federally funded grant entitled, Amputation/CTS Project.....	\$145,944
4518-9044	For the purposes of a federally funded grant entitled, MA Citizen Verification for Federal Employment .....	\$40,000
4518-9045	For the purposes of a federally funded grant entitled, MA Integration of Chronic Disease-ARRA .....	\$98,859
4570-1509	For the purposes of a federally funded grant entitled, Massachusetts Cardiovascular Disease Prevention .....	\$1,194,522
4570-1512	For the purposes of a federally funded grant entitled, National Cancer Prevention Control .....	\$4,979,553

4570-1513	For the purposes of a federally funded grant entitled, Colorectal Cancer Screening .....	1,000,000
4570-1514	For the purposes of a federally funded grant entitled, Wise Woman .....	\$900,000
4570-1516	For the purposes of a federally funded grant entitled, Paul Coverdell Acute Stroke Registry .....	\$600,000
4570-1517	For the purposes of a federally funded grant entitled, Nutrition Obesity .....	\$1,000,152
4570-1520	For the purposes of a federally funded grant entitled, Massachusetts Integration of Chronic Disease .....	\$2,531,966
4570-1521	For the purposes of a federally funded grant entitled, 901 ARRA Component 1 MA Integration of Chronic Disease .....	\$223,434
4570-1522	For the purposes of a federally funded grant entitled, 901 ARRA Component 2 MA Integration of Chronic Disease .....	\$278,516
4570-1523	For the purposes of a federally funded grant entitled, 901 ARRA Component 3 MA Integration of Chronic Disease .....	\$180,803
4570-1525	For the purposes of a federally funded grant entitled, FDA – 10 – Tobacco .....	\$432,389
4570-1526	For the purposes of a federally funded grant entitled, Demonstrating Capacity for Cancer Control .....	\$175,000
4570-1527	For the purposes of a federally funded grant entitled, Personal Responsibility Education (PREP) .....	\$575,610
4570-1529	For the purposes of a federally funded grant entitled, MA Support for Pregnant Teens and Women.....	\$1,648,438
4570-1530	For the purposes of a federally funded grant entitled, HR-Tobacco Patient Protection and Affordable Care Act.....	\$83,924
4570-1531	For the purposes of a federally funded grant entitled, Behavioral Risk factor Surveillance .....	\$1,648,438

#### **Department of Children and Families.**

---

4800-0005	For the purposes of a federally funded grant entitled, Children's Justice Act .....	\$332,603
4800-0007	For the purposes of a federally funded grant entitled, Family Violence Prevention and Support Services Act.....	\$1,868,196
4800-0009	For the purposes of a federally funded grant entitled, Title IV-E Independent Living .....	\$2,996,999
4800-0013	For the purposes of a federally funded grant entitled, Family Preservation and Support Services.....	\$4,428,994

4800-0085	For the purposes of a federally funded grant entitled, Educational & Training Voucher Program .....	\$1,004,749
4899-0001	For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services .....	\$4,423,131
4899-0022	For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment.....	\$508,268

#### **Department of Mental Health.**

---

5012-9121	For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness.....	\$1,768,195
5012-9160	For the purposes of a federally funded grant entitled, Jail Diversion and Trauma Recovery .....	\$412,500
5012-9161	For the purposes of a federally funded grant entitled, Community Re-entry for Women Program .....	\$67,227
5012-9163	For the purposes of a federally funded grant entitled, CCP Crisis Counseling.....	\$71,445
5012-9164	For the purposes of a federally funded grant entitled, DIG 2011 .....	\$132,937
5046-9102	For the purposes of a federally funded grant entitled, Shelter Plus Care Program .....	\$201,120
5047-9102	For the purposes of a federally funded grant entitled, Comprehensive Mental Health Services for Children and their Families .....	\$392,523

#### **Department of Developmental Services.**

---

5947-0011	For the purposes of a federally funded grant entitled, Real Choice Systems Change Grant .....	\$102,632
5947-0012	For the purposes of a federally funded grant entitled, Life Span Federal Grant .....	\$89,903

#### **Board of Library Commissioners.**

---

7000-9702	For the purposes of a federally funded grant entitled, Library Service Technology Act.....	\$3,323,269
-----------	--------------------------------------------------------------------------------------------	-------------

---

### **MASSACHUSETTS DEPARTMENT OF TRANSPORTATION.**

---

6440-0088	For the purposes of a federally funded grant entitled, Perform Registry Info Management System .....	\$300,038
6440-0089	For the purposes of a federally funded grant entitled, Commercial Vehicle Information Systems and Networks.....	\$3,280,384
6440-0090	For the purposes of a federally funded grant entitled, CDL Information System Enhancement .....	\$2,191,049

6440-0097	For the purposes of a federally funded grant entitled, Commercial Drivers License Information System.....	\$135,728
6440-0098	For the purposes of a federally funded grant entitled, Safety Data Improvement Program.....	\$325,908
6440-0099	For the purposes of a federally funded grant entitled, Real ID Demonstration Program .....	\$1,265,208
6642-0018	For the purposes of a federally funded grant entitled, Section 5311 Non-Urbanized Area Formula Program.....	\$3,477,592
6642-0020	For the purposes of a federally funded grant entitled, Section 5316 Job Access and Reverse Commute .....	\$5,907,631
6642-0023	For the purposes of a federally funded grant entitled, Section 5303 and 5304 Metropolitan Transportation Planning .....	\$4,900,710
6642-0026	For the purposes of a federally funded grant entitled, Section 5317 New Freedom Operating Segment.....	\$2,734,306
6642-0028	For the purposes of a federally funded grant entitled, Intermodal Transportation Center.....	\$5,568,318
6642-0049	For the purposes of a federally funded grant entitled, Section 56310 Special Needs for Elderly Individuals .....	\$2,866,287
6643-0011	For the purposes of a federally funded grant entitled, ARRA Fast Track New Bedford.....	\$10,000,000
6830-3250	For the purposes of a federally funded grant entitled, Statewide Airport Systems Plan .....	\$163,429

---

## **EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.**

---

### **Office of the Secretary.**

---

7002-1625	For the purposes of a federally funded grant entitled, Veterans Workforce Investment Program FY12 .....	\$757,412
7002-4203	For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration Statistical Survey .....	\$73,345
7002-4204	For the purposes of a federally funded grant entitled, Adult Blood Lead Levels Surveillance.....	\$195,000
7002-4212	For the purposes of a federally funded grant entitled, Asbestos Licensing and Monitoring.....	\$108,000
7002-4213	For the purposes of a federally funded grant entitled, Lead Licensing and Monitoring .....	\$360,000
7002-4215	For the purposes of a federally funded grant entitled, Occupational Illness and Injury.....	\$86,707

7002-6621	For the purposes of a federally funded grant entitled, Department of Workforce Development Administrative Services & Technology .....	\$18,170,477
7002-6624	For the purposes of a federally funded grant entitled, Unemployment Insurance Administration .....	\$79,000,000
7002-6626	For the purposes of a federally funded grant entitled, Employment Service Programs Administration .....	\$16,269,778
7002-6627	For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration On-site Consultation Program .....	\$1,413,000
7002-6628	For the purposes of a federally funded grant entitled, Disabled Veterans Outreach .....	\$1,600,000
7002-6629	For the purposes of a federally funded grant entitled, Local Veterans Employment Representative .....	\$2,100,000
7002-6646	For the purposes of a federally funded grant entitled, WIA Recovery Act Employer Services .....	\$4,500,000
7002-9701	For the purposes of a federally funded grant entitled, Federal Bureau of Labor Statistics Grant .....	\$2,569,258
7003-1010	For the purposes of a federally funded grant entitled, Trade Expansion Act Program.....	\$18,541,849
7003-1630	For the purposes of a federally funded grant entitled, Adult Activities – Workforce Investment Act Title I - Adult Activities.....	\$21,077,233
7003-1631	For the purposes of a federally funded grant entitled, Youth Formula Grants – Workforce Investment Act Title I - Youth Formula Grants.....	\$24,370,973
7003-1632	For the purposes of a federally funded grant entitled, Dislocated Workers – Workforce Investment Act Title I –Dislocated Workers.....	\$28,612,463
7003-1633	For the purposes of a federally funded grant entitled, Work Incentive Grant Access to Employment for All.....	\$450,000
7003-1640	For the purposes of a federally funded grant entitled, WIA Recovery Act Adult Workers .....	\$4,500,000
7003-1642	For the purposes of a federally funded grant entitled, WIA Recovery Act Dislocated Workers .....	\$14,000,000
7003-1645	For the purposes of a federally funded grant entitled, ARRA State Energy Sector Partnership .....	\$2,014,295
7003-1651	For the purposes of a federally funded grant entitled, WIA Recovery Act Youth Workers.....	\$12,000,000
7003-2013	For the purposes of a federally funded grant entitled, Mine Safety and Health Training .....	\$65,651

---

---

## EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

---

### Department of Housing and Community Development.

---

4400-0705	For the purposes of a federally funded grant entitled, McKinney Emergency Shelter Grants .....	\$2,900,000
4400-0707	For the purposes of a federally funded grant entitled, Continuum of Care .....	\$6,000,000
4400-9404	For the purposes of a federally funded grant entitled, McKinney Shelter Plus Care – Continuum of Care .....	\$3,400,000
7004-0305	For the purposes of a federally funded grant entitled, Lead Hazard Control .....	\$469,982
7004-2030	For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$7,111,922
7004-2031	For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income.....	\$10,395,482
7004-2033	For the purposes of a federally funded grant entitled, Low Income Home Energy Assistance Program; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development shall provide monthly payments in advance to participating agencies.....	\$210,212,673
7004-2034	For the purposes of a federally funded grant entitled, Community Services Block Grant; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$16,486,827
7004-2361	For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Administrative Fee .....	\$248,455
7004-2363	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Housing Voucher .....	\$3,201,079
7004-2364	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee Moderate Rehabilitation.....	\$183,097
7004-2365	For the purposes of a federally funded grant entitled, Section 8 Administrative Fee New Construction .....	\$381,179
7004-3037	For the purposes of a federally funded grant entitled, Small Cities Community Development Block Grant Program; provided, that consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$36,934,589



7004-3038	For the purposes of a federally funded grant entitled, Neighborhood Stabilization .....	\$9,824,139
7004-3041	For the purposes of a federally funded grant entitled, Community Development Block Grant – ARRA .....	\$2,000,000
7004-3051	For the purposes of a federally funded grant entitled, ARRA Homeless Prevention and Rapid Rehousing Program.....	\$5,607,300
7004-9009	For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$9,446,234
7004-9014	For the purposes of a federally funded grant entitled, Federal Housing Voucher Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies .....	\$229,653,571
7004-9019	For the purposes of a federally funded grant entitled, Section 8 Moderate Rehabilitation; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies .....	\$9,460,745
7004-9020	For the purposes of a federally funded grant entitled, Section 8 New Construction Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies .....	\$6,746,500
7004-9028	For the purposes of a federally funded grant entitled, Home Investment Partnerships; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$15,000,000
7004-9039	For the purposes of a federally funded grant entitled, Home Technical Assistance.....	\$107,298
7004-9051	For the purposes of a federally funded grant entitled, Shelter Plus Care-Lowell; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies.....	\$79,000
7004-9313	For the purposes of a federally funded grant entitled, ARRA Tax Credit Exchange Program .....	\$22,928,537
7004-9314	For the purposes of a federally funded grant entitled, ARRA Tax Credit Assistance Program.....	\$14,901,408

---

## EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

---

**Office of the Secretary.**

---

8000-0088	For the purposes of a federally funded grant entitled, Bulletproof Vest Federal Receipt .....	\$300,000
8000-2015	For the purposes of a federally funded grant entitled, ARRA Justice Assistant Grant .....	\$600,000
8000-4603	For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act .....	\$1,000,000
8000-4608	For the purposes of a federally funded grant entitled, Drug-Free Schools and Communities Act of 1986 .....	\$100,000
8000-4610	For the purposes of a federally funded grant entitled, Statistical Analysis Center .....	\$60,000
8000-4611	For the purposes of a federally funded grant entitled, Byrne Justice Assistance .....	\$4,000,000
8000-4619	For the purposes of a federally funded grant entitled, Title V .....	\$75,000
8000-4620	For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program .....	\$2,000,000
8000-4623	For the purposes of a federally funded grant entitled, Criminal History Improvement.....	\$200,000
8000-4624	For the purposes of a federally funded grant entitled, Prisoner Substance Abuse Treatment.....	\$100,000
8000-4639	For the purposes of a federally funded grant entitled, Justice Loan Repayment Grant .....	\$130,000
8000-4640	For the purposes of a federally funded grant entitled, Hampden Reentry Grant .....	\$225,000
8000-4692	For the purposes of a federally funded grant entitled, State Homeland Security Program .....	\$20,000,000
8000-4693	For the purposes of a federally funded grant entitled, Project Safe Neighborhood .....	\$200,000
8000-4694	For the purposes of a federally funded grant entitled, Homeland Urban Areas .....	\$7,500,000
8000-4695	For the purposes of a federally funded grant entitled, Homeland Security Buffer Zone Protection .....	\$1,200,000
8000-4696	For the purposes of a federally funded grant entitled, Transportation Security Grant.....	\$10,000,000
8000-4697	For the purposes of a federally funded grant entitled, Homeland Security Interoperable Communication .....	\$8,000,000
8000-4699	For the purposes of a federally funded grant entitled, Homeland Citizen Corp.....	\$295,000

8000-4700	For the purposes of a federally funded grant entitled, Homeland Medical Response .....	\$400,000
8000-4701	For the purposes of a federally funded grant entitled, Homeland Port Security.....	\$2,000,000
8000-4702	For the purposes of a federally funded grant entitled, Homeland Interoperable Communications .....	\$500,000
8000-4703	For the purposes of a federally funded grant entitled, Homeland Catastrophic Preparation .....	\$2,000,000
8000-4705	For the purposes of a federally funded grant entitled, Homeland Emergency Management Preparation.....	\$4,000,000
8000-4706	For the purposes of a federally funded grant entitled, Homeland Emergency Operations Center .....	\$50,000
8000-4804	For the purposes of a federally funded grant entitled, Highway Safety Grant.....	\$16,000,000
8000-4840	For the purposes of a federally funded grant entitled, 2006 Enforcing Underage Drinking Laws .....	\$300,000
8000-4841	For the purposes of a federally funded grant entitled, Fatality Analysis Reporting.....	\$100,000
8000-4843	For the purposes of a federally funded grant entitled, Increased Endorsed Motorcyclists .....	\$29,416
8000-4844	For the purposes of a federally funded grant entitled, Increased Blood Alcohol Reporting .....	\$32,012
8000-6613	For the purposes of a federally funded grant entitled, Juvenile Accountability II .....	\$700,000

#### **Department of State Police.**

---

8100-0209	For the purposes of a federally funded grant entitled, Region 1 Training Academy Motor Carrier Safety Assistance .....	\$194,904
8100-0210	For the purposes of a federally funded grant entitled, FMCSA New Entrant Audit.....	\$602,422
8100-2010	For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety .....	\$7,317
8100-2011	For the purposes of a federally funded grant entitled, FMCSA Basic Grant.....	\$2,585,000
8100-2020	For the purposes of a federally funded grant entitled, FMCSA High Priority (Seat Belt) .....	\$9,700
8100-2021	For the purposes of a federally funded grant entitled, FMCSA High Priority (Safety Admin Data Improve) .....	\$15,000

8100-2058	For the purposes of a federally funded grant entitled, New England State Police Administrator's Conference - Regional Investigation .....	\$4,867,198
8100-2639	For the purposes of a federally funded grant entitled, ARRA ICAC Task Force .....	\$152,200
8100-2640	For the purposes of a federally funded grant entitled, Internet Crimes Against Children Continuation .....	\$7,000
8100-2641	For the purposes of a federally funded grant entitled, Internet Crimes Against Children Data System .....	\$460,448
8100-9706	For the purposes of a federally funded grant entitled, Cannabis Eradication Controlled Substance Prosecution DEA Cooperative Agreement .....	\$50,753
8100-9747	For the purposes of a federally funded grant entitled, Forensic DNA Backlog Reduction Program FY09 .....	\$479,230
8100-9748	For the purposes of a federally funded grant entitled, FY10 Forensic DNA Backlog Reduction Program .....	\$521,383
8100-9749	For the purposes of a federally funded grant entitled, Coverdell Forensics Science Improvement .....	\$165,187

#### **Department of Fire Services.**

---

8324-1505	For the purposes of a federally funded grant entitled, USFA/NFA State Fire Training Program .....	\$28,000
-----------	---------------------------------------------------------------------------------------------------	----------

#### **Military Division.**

---

8700-0006	For the purposes of a federally funded grant entitled, Military Construction Costs in Methuen .....	\$9,647,217
8700-1001	For the purposes of a federally funded grant entitled, Army National Guard Facilities Programs Cooperative Agreement .....	\$15,872,100
8700-1002	For the purposes of a federally funded grant entitled, Army National Guard Environmental Programs Cooperative Agreement .....	\$3,149,000
8700-1003	For the purposes of a federally funded grant entitled, Army National Guard Security Cooperative Agreement .....	\$1,410,800
8700-1004	For the purposes of a federally funded grant entitled, Army National Guard Electronic Security Cooperative Agreement .....	\$200,000
8700-1005	For the purposes of a federally funded grant entitled, Army National Guard Communications and Information Management Cooperative Agreement .....	\$2,435,400
8700-1007	For the purposes of a federally funded grant entitled, Army National Guard Sustainable Ranges Cooperative Agreement .....	\$669,000

8700-1010	For the purposes of a federally funded grant entitled, Army National Guard Antiterrorism Cooperative Agreement .....	\$100,000
8700-1021	For the purposes of a federally funded grant entitled, Air National Guard Facilities Operations and Maintenance Cooperative Agreement .....	\$7,717,457
8700-1022	For the purposes of a federally funded grant entitled, Air National Guard Environment Cooperative Agreement .....	\$70,100
8700-1023	For the purposes of a federally funded grant entitled, Air National Guard Security Cooperative Agreement .....	\$1,594,000
8700-1024	For the purposes of a federally funded grant entitled, Air National Guard Fire Protection Cooperative Agreement .....	\$2,101,600
8700-1040	For the purposes of a federally funded grant entitled, Air National Guard Distributed Learning Program Cooperative Agreement .....	\$150,000
8700-2001	For the purposes of a federally funded grant entitled, Natick National Guard Readiness Center .....	\$9,716,000

#### **Massachusetts Emergency Management Agency.**

---

8800-0011	For the purposes of a federally funded grant entitled, Severe Repetitive Loss Grant .....	\$449,568
8800-0012	For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant .....	\$88,417
8800-0042	For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act.....	\$458,003
8800-0048	For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program .....	\$1,331,702
8800-0064	For the purposes of a federally funded grant entitled, Hazard Mitigation 1364 .....	\$3,081,784
8800-0087	For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant .....	\$5,313,314
8800-1642	For the purposes of a federally funded grant entitled, May 2006 Floods FEMA .....	\$1,796,396
8800-1701	For the purposes of a federally funded grant entitled, April 2007 Storm FEMA .....	\$1,875,846
8800-1813	For the purposes of a federally funded grant entitled, December 2008 Ice Storm FEMA .....	\$4,845,557
8800-1895	For the purposes of a federally funded grant entitled, March 2010 Floods FEMA .....	\$14,296,039

#### **Department of Correction.**

---

8903-9003	For the purposes of a federally funded grant entitled, Second Chance Act Family Based Substance Abuse Treatment Grant .....	\$140,545
8903-9009	For the purposes of a federally funded grant entitled, Second Chance Act New Clean Green Energy Training Program .....	\$382,780
8903-9709	For the purposes of a federally funded grant entitled, Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders .....	\$153,894

---

## EXECUTIVE OFFICE OF ELDER AFFAIRS.

---

### Office of the Secretary.

---

9110-1074	For the purposes of a federally funded grant entitled, Older Americans Assistance - Title III and Title VII .....	\$9,500,703
9110-1077	For the purposes of a federally funded grant entitled, National Family Caregiver Support Program.....	\$2,469,373
9110-1095	For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance .....	\$1,137,421
9110-1150	For the purposes of a federally funded grant entitled, Empowering Older People.....	\$252,514
9110-1173	For the purposes of a federally funded grant entitled, Older Americans Act - Title III Nutritional Program .....	\$10,247,829
9110-1174	For the purposes of a federally funded grant entitled, Nutrition Services Incentive Program.....	\$4,954,850
9110-1175	For the purposes of a federally funded grant entitled, Medicare Enrollment Assistance Program AAA.....	\$12,683
9110-1176	For the purposes of a federally funded grant entitled, Medicare Enrollment Assistance Program ADRC.....	\$22,262
9110-1177	For the purposes of a federally funded grant entitled, Additional Funding Act State Health Insurance.....	\$31,420
9110-1178	For the purposes of a federally funded grant entitled, Community Service Employment Program.....	\$2,983,508
9110-1180	For the purposes of a federally funded grant entitled, 2007 Medicare Improvements for Patients and Providers to LIS/MSP .....	\$15,051
9110-1182	For the purposes of a federally funded grant entitled, 2008 Medicare Improvements for Patients and Providers .....	\$11,048
9110-3000	For the purposes of a federally funded grant entitled, Senior Medicare Patrol Integration .....	\$193,895

9110-3031	For the purposes of a federally funded grant entitled, ADRC Strategic Planning .....	\$250,000
9110-3037	For the purposes of a federally funded grant entitled, Massachusetts Community Living Program .....	\$500,000
9110-3200	For the purposes of a federally funded grant entitled, Community Based Alzheimer Care Project .....	\$250,000
9110-3300	For the purposes of a federally funded grant entitled, MA Next Generation Performance Outcome Measurement Project .....	\$111,505

---

## SECTION 2E.

---

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the General Fund to the trust funds named within each item unless specifically designated otherwise in this section, for the purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2012. Items in this section shall not be subject to allotment under section 9B of chapter 29 of the General Laws or reduction under section 9C of said chapter 29, without express authorization from the general court. Notwithstanding section 19A of said chapter 29, any transfer under this section shall be made by the comptroller in accordance with a transfer schedule to be developed for each item by the comptroller, after consulting with the appropriate agency secretary, the secretary of administration and finance and the state treasurer. The schedule for each appropriation shall provide for transfers in increments considered appropriate to meet the cash flow needs of each fund and all transfers under the schedule shall be completed not later than June 30, 2012. Not later than 7 days after the schedules receive final approval by the comptroller, they shall be reported to the house and senate committees on ways and means.

---

## EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

---

1599-6152	For an operating transfer to the State Retiree Benefits Trust Fund, established pursuant to section 24 of chapter 32A of the General Laws .....	\$414,325,940
-----------	-------------------------------------------------------------------------------------------------------------------------------------------------	---------------

---

## EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

---

### Office of the Secretary of Health and Human Services.

---

1595-1068	For an operating transfer to the MassHealth provider payment account in the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws; provided, that these funds shall be expended only for services provided during state or federal fiscal year 2012, and no amounts previously or subsequently transferred into the Medical Assistance Trust Fund shall be expended on payments described in the section 1115 demonstration waiver for services provided during state fiscal year 2012, or payments described in the state plan for services provided during federal fiscal year 2012; provided further, that all payments from the Medical Assistance Trust Fund shall be subject to the availability of federal financial participation, shall be made only in accordance with	
-----------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

federally-approved payment methods, shall be consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services and shall be subject to the terms and conditions of an agreement with the executive office of health and human services; provided further, that any increase in payment made from the trust fund totaling an amount greater than \$251,000,000 in fiscal year 2012 shall be made only after the secretary of health and human services certifies that any increase in payments from the trust fund shall not exceed the negotiated limit for section 1115 waiver spending; provided further, that the secretary of health and human services shall notify, in writing, the house and senate committees on ways and means and the joint committee on health care financing of any increases in payments within 15 days; and provided further, that the secretary of health and human services shall make a payment of up to \$308,050,000 from the Medical Assistance Trust Fund to the Cambridge Public Health Commission for dates of service in state and federal fiscal year 2012 only after the Cambridge Public Health Commission transfers up to \$154,025,000 of its funds to the Medical Assistance Trust Fund using a federally-permissible source of funds which shall fully satisfy the nonfederal share of such payment.....\$394,025,000

1595-1069 For the purpose of administering the Medicaid Electronic Health Record Incentive Payment program; provided, that notwithstanding any general or special law to the contrary, the comptroller shall transfer up to \$500,000 from the General Fund to the Health Insurance Technology Trust Fund; and provided further, that all payments from the Health Insurance Technology Trust Fund shall be subject to the availability of federal financial participation.....\$500,000

1595-5819 For an operating transfer to the Commonwealth Care Trust Fund, established under section 2000 of chapter 29 of the General Laws; provided, that up to \$30,000,000 shall be transferred from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund, established under section 36 of chapter 118G of the General Laws; provided further, that the hospital fiscal year 2012 payment amount to each hospital shall be funded by the Health Safety Net Trust Fund; provided further, that payments may be made either as safety net care payments under the commonwealth's section 1115 waiver, or as an adjustment to Title XIX service rate payments, or a combination thereof; provided further that for the purpose of this line item, Massachusetts nonprofit disproportionate share hospitals with a Medicare payer mix percentage greater than 45% of Total Gross Patient Service Revenue using FY09 403 cost report data shall be defined as a public service hospital; further provided public service hospitals qualifying under this line item shall receive an equal payment of the amount of surplus public service hospital safety net care payment monies from public service hospitals qualifying under 114.1 CMR 36.02; further provided that these funds may only be disbursed if allowed by the Commonwealth's 1115 Medicaid waiver; provided further, that the executive office of health and human services and the health safety net office may use other federally permissible funding mechanisms available for public service hospitals, as defined in 114.1 CMR 36.02, to reimburse up to \$70,000,000 of uncompensated care at the hospitals using sources distinct from the funding made available to the Health Safety Net



Trust Fund; provided further, that the secretary of administration and finance, in consultation with the secretary of health and human services and the executive director of the commonwealth health insurance connector authority, shall on a quarterly basis evaluate the revenue needs of the health safety net program funded by the Health Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds for the purpose of ensuring that sufficient revenues are available to support projected program expenditures; provided further, that the secretary of administration and finance shall report any transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust Fund to the house and senate committees on ways and means and the joint committee on healthcare financing within 30 days of the proposed transfer; provided further, that notwithstanding any general or special law to the contrary, if the secretary of administration and finance determines that amounts transferred from the General Fund to the Commonwealth Care Trust Fund are not needed to support the costs of the commonwealth care and Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2012, the secretary of administration and finance shall notify the comptroller and the house and senate committees on ways and means of this determination and the comptroller shall transfer such amounts from the Commonwealth Care Trust Fund back to the General Fund; and provided further, that up to \$3,500,000 shall be applied for the purpose of providing small business health insurance wellness subsidies pursuant to section 7A of chapter 176Q of the General Laws; and provided further, that notwithstanding said section 7A of said chapter 176Q, for fiscal year 2012, the connector shall provide an annual health insurance wellness subsidy not to exceed 15 per cent of eligible employer health care costs as calculated by the employer for credit by the federal government under the federal Patient Protection and Affordable Care Act .....\$728,011,822

---

## TRANSPORTATION.

---

### Department of Transportation.

---

1595-6368 For an operating transfer to the Massachusetts Transportation Trust Fund, established under section 4 of chapter 6C of the General Laws; provided, that the Massachusetts Department of Transportation shall expend \$100,000 for the purposes of conducting a study to include field research, surveys, market studies, and other research methods as needed, to identify and determine additional recurring revenues through the leasing or disposition of commonwealth right-of-ways or other land, property, or interests therein, on the property of the Massachusetts Bay Transportation Authority and associated railroad or transportation related property of the commonwealth, inclusive of its rights-of-way, whether in use for rail, alternative access or abandoned; said study to be for the purpose of maximizing revenue to the commonwealth from installing utility and communication infrastructure including, but not limited to: utility pipelines, conduits, ditches, wires, poles, transmission lines, or transmission facilities for cellular phone devices, broadband, internet and wireless under existing agreements or permits or such

agreements or permits or under existing laws, provided that such use does not interfere with the public use of the property for Massachusetts Bay Transportation Authority or other purposes. Said study shall be completed by February 1, 2012 and copies transmitted to the house and senate committees on ways and means and the joint committee on transportation .....\$180,126,756

Commonwealth Transportation Fund..... 100%

1595-6369 For an operating transfer to the Massachusetts Bay Transportation Authority pursuant to clause (1) of subsection (d) of section 2ZZZ of chapter 29 of the General Laws .....\$160,000,000

Commonwealth Transportation Fund..... 100%

1595-6370 For an operating transfer to the regional transit authorities organized under chapter 161B of the General Laws or predecessor statutes pursuant to clause (2) of subsection (d) of section 2ZZZ of chapter 29 of the General Laws .....\$15,000,000

Commonwealth Transportation Fund..... 100%

1595-6379 For the operation of the motor vehicle insurance merit rating board, including the rent, related parking and utility expenses of the board; provided, that the amount appropriated in this item, and the associated fringe benefits, shall be borne by insurance companies doing motor vehicle insurance business within the commonwealth, under section 57A of chapter 6C of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense for non-criminal motor vehicle traffic violations as described in chapter 90C of the General Laws .....\$7,806,972

Commonwealth Transportation Fund..... 100%

---

## EXECUTIVE OFFICE OF EDUCATION.

---

### Department of Higher Education.

---

7066-0035 For the support of the science, technology, engineering, and mathematics grant fund established by section 2MMM of chapter 29 of the General Laws .....\$500,000

---

## SECTION 3 LOCAL AID DISTRIBUTIONS.

---

SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2012 the distribution to cities and towns of the balance of the State Lottery Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund shall be \$833,980,293 and shall be apportioned to the cities and towns in accordance with this section.

Notwithstanding section 2 of chapter 70 of the General Laws or any other general or special law to the contrary, except for section 12B of chapter 76 and section 89 of chapter 71 of the General Laws, for fiscal year 2012 the total amounts to be distributed and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the following lists. The specified amounts to be distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts due under chapter 70 of the General Laws.

For fiscal year 2012, the foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2011. The target local share shall be calculated using the same methodology used in fiscal year 2011. Preliminary local contribution shall be the municipality's fiscal year 2011 minimum required local contribution, increased or decreased by the municipal revenue growth factor; provided, that if a municipality's preliminary contribution as a percentage of its foundation budget is more than 5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 1 percentage point; and if a municipality's preliminary contribution as a percentage of its foundation budget is more than 10 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 2 percentage points. Minimum required local contribution for fiscal year 2012 shall be, for any municipality with a fiscal year 2012 preliminary contribution greater than its fiscal year 2012 target contribution, the preliminary local contribution reduced by 20 per cent of the gap between the preliminary local contribution and the target local contribution. Required local contribution shall be allocated among the districts to which a municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts. For fiscal year 2012, "prior year aid" shall be the sum of: (a) fiscal year 2011 state-appropriated chapter 70 aid; and (b) state fiscal stabilization fund allocations as distributed by the department of elementary and secondary education. For fiscal year 2012, the "foundation aid increment" shall be the difference between: (a) the positive difference between a district's foundation budget and its required district contribution; and (b) prior year aid. Chapter 70 aid for fiscal year 2012 shall be the sum of prior year aid plus the foundation aid increment, if any. No non-operating district shall receive chapter 70 aid in an amount greater than the district's foundation budget. If there is a conflict between the language of this section and the distribution listed below, the distribution below shall control.

The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994. No payments to cities, towns or counties maintaining an agricultural school pursuant to this section shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district or independent agricultural and technical school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of the executive office for administration and finance, pursuant to guidelines established by the secretary.

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
ABINGTON	7,244,034	1,543,567
ACTON	5,188,231	1,097,608
ACUSHNET	6,039,807	1,189,719
ADAMS	0	1,837,004
AGAWAM	17,494,998	2,890,703
ALFORD	0	11,011
AMESBURY	8,422,786	1,526,501
AMHERST	5,813,638	6,605,976
ANDOVER	6,928,057	1,402,081
AQUINNAH	0	1,833
ARLINGTON	6,880,580	5,952,940
ASHBURNHAM	0	623,876
ASHBY	0	343,578
ASHFIELD	93,413	145,672

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
ASHLAND	4,877,035	1,061,106
ATHOL	0	2,077,367
ATTLEBORO	28,992,951	4,476,414
AUBURN	6,495,648	1,343,805
AVON	816,707	543,847
AYER	264,744	594,009
BARNSTABLE	7,184,728	1,650,493
BARRE	7,483	705,700
BECKET	76,563	71,258
BEDFORD	2,806,434	900,733
BELCHERTOWN	13,251,261	1,335,093
BELLINGHAM	8,028,300	1,331,436
BELMONT	5,571,323	1,771,704
BERKLEY	3,805,913	477,426
BERLIN	500,103	158,198
BERNARDSTON	11,308	228,218
BEVERLY	6,730,266	4,582,242
BILLERICA	17,375,576	4,569,149
BLACKSTONE	84,251	1,074,007
BLANDFORD	42,726	99,633
BOLTON	0	154,921
BOSTON	205,414,453	148,660,757
BOURNE	4,684,058	1,150,250

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
BOXBOROUGH	1,294,018	197,930
BOXFORD	1,534,312	381,442
BOYLSTON	430,543	268,772
BRAINTREE	12,154,000	4,490,072
BREWSTER	887,884	309,819
BRIDGEWATER	36,107	2,857,894
BRIMFIELD	1,175,223	305,924
BROCKTON	139,582,640	16,429,406
BROOKFIELD	1,303,088	387,422
BROOKLINE	6,932,850	4,981,754
BUCKLAND	0	240,260
BURLINGTON	5,124,986	2,054,906
CAMBRIDGE	8,643,123	16,856,874
CANTON	3,838,238	1,682,666
CARLISLE	790,228	172,130
CARVER	9,573,059	1,146,273
CHARLEMONT	61,250	137,157
CHARLTON	21,176	1,136,799
CHATHAM	648,563	118,090
CHELMSFORD	9,880,853	3,982,596
CHELSEA	52,765,195	6,444,403
CHESHIRE	298,092	482,025
CHESTER	125,551	141,268

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
CHESTERFIELD	121,562	108,334
CHICOPEE	53,628,470	9,035,592
CHILMARK	0	2,943
CLARKSBURG	1,749,835	285,445
CLINTON	10,497,286	1,847,116
COHASSET	1,659,487	403,698
COLRAIN	0	226,462
CONCORD	1,998,997	910,291
CONWAY	592,554	140,234
CUMMINGTON	73,684	65,458
DALTON	212,902	892,749
DANVERS	4,269,013	2,234,836
DARTMOUTH	8,983,576	1,978,014
DEDHAM	3,651,265	2,565,951
DEERFIELD	1,026,593	376,874
DENNIS	0	427,332
DEVENS	308,588	0
DIGHTON	0	606,730
DOUGLAS	8,368,517	572,620
DOVER	601,536	150,941
DRACUT	17,732,219	2,749,229
DUDLEY	0	1,401,958
DUNSTABLE	4,392	192,992

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
DUXBURY	4,387,890	695,530
EAST BRIDGEWATER	10,108,452	1,174,518
EAST BROOKFIELD	75,665	227,567
EAST LONGMEADOW	9,130,786	1,135,782
EASTHAM	315,916	116,902
EASTHAMPTON	7,568,672	2,205,513
EASTON	9,192,536	1,718,309
EDGARTOWN	422,688	52,267
EGREMONT	0	49,508
ERVING	408,645	52,739
ESSEX	0	192,114
EVERETT	42,993,143	5,420,954
FAIRHAVEN	7,217,965	1,769,396
FALL RIVER	93,795,275	18,698,842
FALMOUTH	4,846,696	1,087,838
FITCHBURG	40,477,603	6,696,216
FLORIDA	529,427	39,056
FOXBOROUGH	8,348,710	1,168,759
FRAMINGHAM	22,024,861	7,806,597
FRANKLIN	26,857,636	1,938,859
FREETOWN	353,070	745,088
GARDNER	18,037,844	3,325,039
GEORGETOWN	5,095,019	562,104



<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
GILL	0	190,859
GLOUCESTER	5,755,585	3,133,846
GOSHEN	96,111	62,773
GOSNOLD	16,414	1,646
GRAFTON	8,559,644	1,226,876
GRANBY	4,455,570	692,822
GRANVILLE	1,247,466	125,803
GREAT BARRINGTON	0	595,495
GREENFIELD	9,957,403	2,491,144
GROTON	3,201	607,821
GROVELAND	0	571,169
HADLEY	733,207	356,121
HALIFAX	2,645,042	712,283
HAMILTON	0	527,184
HAMPDEN	0	539,848
HANCOCK	190,460	44,301
HANOVER	5,967,516	1,662,196
HANSON	31,588	1,004,818
HARDWICK	0	365,295
HARVARD	1,718,626	1,162,031
HARWICH	1,735,977	337,990
HATFIELD	753,311	244,835
HAVERHILL	35,966,744	7,711,930

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
HAWLEY	28,250	33,958
HEATH	0	65,651
HINGHAM	5,553,035	1,238,357
HINSDALE	104,683	174,710
HOLBROOK	4,597,787	1,157,772
HOLDEN	0	1,500,208
HOLLAND	890,143	158,375
HOLLISTON	6,546,693	1,215,118
HOLYOKE	67,536,867	7,969,057
HOPEDALE	5,815,295	511,659
HOPKINTON	5,472,035	616,393
HUBBARDSTON	14,817	353,458
HUDSON	9,208,854	1,564,697
HULL	3,610,471	1,662,898
HUNTINGTON	214,868	270,427
IPSWICH	2,559,500	1,259,557
KINGSTON	4,014,844	753,151
LAKEVILLE	49,190	642,026
LANCASTER	0	750,048
LANESBOROUGH	799,588	270,670
LAWRENCE	145,883,335	15,406,602
LEE	1,918,169	488,670
LEICESTER	9,381,227	1,362,409

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
LENOX	1,131,215	418,241
LEOMINSTER	41,456,131	4,490,816
LEVERETT	267,006	140,059
LEXINGTON	7,051,517	1,202,550
LEYDEN	0	64,606
LINCOLN	718,511	534,185
LITTLETON	3,503,626	557,764
LONGMEADOW	4,109,266	1,096,268
LOWELL	121,658,718	19,764,069
LUDLOW	13,097,378	2,397,042
LUNENBURG	4,522,545	829,777
LYNN	118,211,280	17,568,191
LYNNFIELD	3,799,686	816,068
MALDEN	44,091,112	9,844,375
MANCHESTER	0	174,499
MANSFIELD	17,873,614	1,750,267
MARBLEHEAD	4,548,961	893,530
MARION	431,669	177,050
MARLBOROUGH	14,405,503	4,271,401
MARSHFIELD	13,567,053	1,699,837
MASHPEE	4,200,511	288,692
MATTAPOISETT	526,956	318,023
MAYNARD	3,534,280	1,232,737

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
MEDFIELD	5,620,214	1,137,437
MEDFORD	10,836,793	9,517,872
MEDWAY	9,898,504	957,302
MELROSE	7,323,565	4,024,121
MENDON	24,883	320,659
MERRIMAC	0	660,204
METHUEN	38,823,822	4,266,346
MIDDLEBOROUGH	17,008,329	1,934,578
MIDDLEFIELD	18,050	41,714
MIDDLETON	1,483,356	429,332
MILFORD	16,702,939	2,396,675
MILLBURY	6,566,950	1,389,477
MILLIS	4,248,061	821,522
MILLVILLE	58,499	319,617
MILTON	5,504,287	2,521,257
MONROE	79,784	14,428
MONSON	7,259,850	1,024,283
MONTAGUE	0	1,124,542
MONTEREY	0	36,279
MONTGOMERY	21,042	68,097
MOUNT WASHINGTON	32,776	23,522
NAHANT	440,741	296,479
NANTUCKET	1,334,173	62,171

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
NATICK	7,062,013	2,990,066
NEEDHAM	6,991,720	1,369,789
NEW ASHFORD	179,597	15,938
NEW BEDFORD	111,804,538	18,050,411
NEW BRAINTREE	0	103,584
NEW MARLBOROUGH	0	45,953
NEW SALEM	0	81,413
NEWBURY	0	406,371
NEWBURYPORT	3,143,161	2,001,229
NEWTON	13,504,221	4,611,231
NORFOLK	3,234,875	752,484
NORTH ADAMS	13,418,958	3,481,174
NORTH ANDOVER	6,124,740	1,608,071
NORTH ATTLEBOROUGH	19,528,781	2,257,483
NORTH BROOKFIELD	4,129,763	625,244
NORTH READING	6,459,260	1,393,231
NORTHAMPTON	6,843,064	3,448,824
NORTHBOROUGH	3,311,175	875,253
NORTHBRIDGE	14,034,106	1,656,314
NORTHFIELD	0	283,498
NORTON	12,147,905	1,630,853
NORWELL	3,008,400	841,158
NORWOOD	4,808,800	3,649,810

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
OAK BLUFFS	613,641	57,066
OAKHAM	0	150,544
ORANGE	5,117,899	1,268,097
ORLEANS	237,642	134,783
OTIS	0	28,541
OXFORD	9,764,153	1,613,477
PALMER	10,519,240	1,573,636
PAXTON	0	424,607
PEABODY	18,663,598	5,664,152
PELHAM	216,311	124,902
PEMBROKE	12,794,990	1,319,012
PEPPERELL	0	1,171,128
PERU	73,500	89,614
PETERSHAM	418,743	89,957
PHILLIPSTON	0	144,740
PITTSFIELD	36,909,419	6,774,785
PLAINFIELD	51,024	39,366
PLAINVILLE	2,519,174	595,290
PLYMOUTH	21,778,007	3,074,658
PLYMPTON	566,871	186,155
PRINCETON	0	232,324
PROVINCETOWN	258,041	108,536
QUINCY	20,959,018	14,983,027

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
RANDOLPH	11,895,024	4,078,589
RAYNHAM	0	892,264
READING	9,488,181	2,543,818
REHOBOTH	0	817,945
REVERE	40,735,334	8,071,697
RICHMOND	330,519	84,892
ROCHESTER	1,705,807	333,266
ROCKLAND	10,022,160	2,074,337
ROCKPORT	1,271,798	343,349
ROWE	67,651	3,091
ROWLEY	0	423,746
ROYALSTON	0	141,068
RUSSELL	168,465	193,796
RUTLAND	0	725,867
SALEM	18,522,267	5,412,881
SALISBURY	0	495,790
SANDISFIELD	0	27,191
SANDWICH	6,376,393	884,410
SAUGUS	3,888,392	2,878,748
SAVOY	499,039	90,917
SCITUATE	4,832,136	1,578,512
SEEKONK	4,272,118	965,577
SHARON	6,562,832	1,098,429

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
SHEFFIELD	13,886	191,163
SHELBURNE	4,663	205,203
SHERBORN	499,848	169,965
SHIRLEY	0	1,029,497
SHREWSBURY	18,511,623	2,185,815
SHUTESBURY	571,885	133,065
SOMERSET	4,104,261	1,203,502
SOMERVILLE	19,108,128	19,770,620
SOUTH HADLEY	7,546,619	2,049,338
SOUTHAMPTON	2,425,096	499,982
SOUTHBOROUGH	2,654,636	343,199
SOUTHBRIDGE	17,230,163	2,760,518
SOUTHWICK	0	989,791
SPENCER	8,131	1,774,784
SPRINGFIELD	275,403,995	29,705,191
STERLING	0	543,998
STOCKBRIDGE	0	78,217
STONEHAM	3,327,888	2,916,235
STOUGHTON	12,860,747	2,512,733
STOW	0	330,325
STURBRIDGE	2,351,516	607,924
SUDBURY	4,206,945	1,098,406
SUNDERLAND	826,903	396,605



<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
SUTTON	5,102,475	612,529
SWAMPSCOTT	2,564,463	1,015,680
SWANSEA	4,715,991	1,473,767
TAUNTON	45,565,026	6,599,741
TEMPLETON	0	1,094,201
TEWKSBURY	12,317,499	2,183,935
TISBURY	380,594	76,942
TOLLAND	0	14,503
TOPSFIELD	1,025,939	481,291
TOWNSEND	0	1,031,249
TRURO	245,466	23,606
TYNGSBOROUGH	6,960,249	758,313
TYRINGHAM	35,721	9,963
UPTON	12,582	417,765
UXBRIDGE	8,948,989	1,079,683
WAKEFIELD	4,794,886	2,643,470
WALES	725,004	185,338
WALPOLE	7,106,855	1,999,825
WALTHAM	7,068,165	7,535,082
WARE	8,103,542	1,354,696
WAREHAM	12,225,154	1,552,495
WARREN	0	709,926
WARWICK	0	99,794

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
WASHINGTON	11,237	74,114
WATERTOWN	3,234,244	5,233,952
WAYLAND	3,144,868	709,290
WEBSTER	9,554,369	1,942,812
WELLESLEY	7,202,028	1,016,492
WELLFLEET	146,323	45,864
WENDELL	0	136,751
WENHAM	0	336,112
WEST BOYLSTON	2,804,550	625,194
WEST BRIDGEWATER	2,441,892	513,118
WEST BROOKFIELD	201,348	382,187
WEST NEWBURY	0	232,501
WEST SPRINGFIELD	18,857,776	2,812,239
WEST STOCKBRIDGE	0	76,294
WEST TISBURY	0	145,748
WESTBOROUGH	4,206,047	909,295
WESTFIELD	32,546,677	4,939,735
WESTFORD	15,861,400	1,667,573
WESTHAMPTON	442,420	113,705
WESTMINSTER	0	513,668
WESTON	2,419,859	293,515
WESTPORT	4,154,597	954,650
WESTWOOD	3,777,085	572,463

<b>Municipality</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
WEYMOUTH	25,510,253	6,842,039
WHATELY	236,718	105,305
WHITMAN	112,364	1,900,068
WILBRAHAM	0	1,148,402
WILLIAMSBURG	415,779	237,562
WILLIAMSTOWN	895,366	749,163
WILMINGTON	10,186,107	1,951,163
WINCHENDON	11,115,275	1,320,096
WINCHESTER	6,241,118	1,160,984
WINDSOR	47,361	81,486
WINTHROP	5,157,850	3,307,962
WOBURN	6,256,312	4,697,651
WORCESTER	201,135,279	32,608,533
WORTHINGTON	49,000	98,563
WRENTHAM	3,538,923	731,568
YARMOUTH	4,574	990,716
<b>Total Municipal</b>	<b>3,359,222,997</b>	<b>833,980,293</b>

<b>Regional School District</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
ACTON BOXBOROUGH	6,969,133	0
ADAMS CHESHIRE	9,835,636	0
AMHERST PELHAM	9,169,067	0
ASHBURNHAM WESTMINSTER	9,935,704	0
ASSABET VALLEY	3,066,115	0
ATHOL ROYALSTON	16,971,310	0
AYER SHIRLEY	7,844,036	0
BERKSHIRE HILLS	2,657,478	0
BERLIN BOYLSTON	871,873	0
BLACKSTONE MILLVILLE	10,511,449	0
BLACKSTONE VALLEY	7,614,352	0
BLUE HILLS	3,819,759	0
BRIDGEWATER RAYNHAM	20,050,371	0
BRISTOL COUNTY	2,949,242	0
BRISTOL PLYMOUTH	9,860,864	0
CAPE COD	2,020,767	0
CENTRAL BERKSHIRE	8,335,894	0
CHESTERFIELD GOSHEN	716,930	0
CONCORD CARLISLE	1,786,194	0
DENNIS YARMOUTH	6,403,644	0
DIGHTON REHOBOTH	12,192,746	0
DOVER SHERBORN	1,359,555	0
DUDLEY CHARLTON	23,487,058	0

<b>Regional School District</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
ESSEX COUNTY	4,002,896	0
FARMINGTON RIVER	384,305	0
FRANKLIN COUNTY	3,268,850	0
FREETOWN LAKEVILLE	10,359,748	0
FRONTIER	2,704,790	0
GATEWAY	5,553,533	0
GILL MONTAGUE	5,967,929	0
GREATER FALL RIVER	13,916,182	0
GREATER LAWRENCE	19,868,513	0
GREATER LOWELL	21,736,787	0
GREATER NEW BEDFORD	22,674,551	0
GROTON DUNSTABLE	10,278,973	0
HAMILTON WENHAM	3,252,691	0
HAMPDEN WILBRAHAM	11,105,799	0
HAMPSHIRE	3,082,948	0
HAWLEMONT	603,737	0
KING PHILIP	7,025,455	0
LINCOLN SUDBURY	2,513,855	0
MANCHESTER ESSEX	2,106,931	0
MARTHAS VINEYARD	2,691,760	0
MASCONOMET	4,686,999	0
MENDON UPTON	11,857,016	0
MINUTEMAN	2,129,172	0

<b>Regional School District</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
MOHAWK TRAIL	5,809,394	0
MONTACHUSETT	12,901,222	0
MOUNT GREYLOCK	1,648,423	0
NARRAGANSETT	9,607,394	0
NASHOBA	6,128,165	0
NASHOBA VALLEY	3,097,434	0
NAUSET	3,204,119	0
NEW SALEM WENDELL	621,347	0
NORFOLK COUNTY	1,028,147	0
NORTH MIDDLESEX	19,505,168	0
NORTH SHORE	1,530,490	0
NORTHAMPTON SMITH	885,640	0
NORTHBORO SOUTHBORO	2,721,210	0
NORTHEAST METROPOLITAN	7,985,945	0
NORTHERN BERKSHIRE	4,195,758	0
OLD COLONY	3,159,799	0
OLD ROCHESTER	1,959,917	0
PATHFINDER	4,923,562	0
PENTUCKET	12,521,127	0
PIONEER	3,971,891	0
QUABBIN	16,073,093	0
QUABOAG	8,393,766	0
RALPH C MAHAR	5,254,840	0

<b>Regional School District</b>	<b>Chapter 70</b>	<b>Unrestricted General Government Aid</b>
SHAWSHEEN VALLEY	5,600,595	0
SILVER LAKE	6,927,073	0
SOMERSET BERKLEY	3,120,169	0
SOUTH MIDDLESEX	2,652,751	0
SOUTH SHORE	3,614,091	0
SOUTHEASTERN	12,628,459	0
SOUTHERN BERKSHIRE	1,798,896	0
SOUTHERN WORCESTER	9,400,370	0
SOUTHWICK TOLLAND	8,183,967	0
SPENCER EAST BROOKFIELD	13,236,949	0
TANTASQUA	7,482,919	0
TRI COUNTY	5,198,118	0
TRITON	8,111,651	0
UPISLAND	781,612	0
UPPER CAPE COD	2,848,175	0
WACHUSETT	22,389,331	0
WHITMAN HANSON	23,464,624	0
WHITTIER	6,819,485	0
<b>Total Regional</b>	<b>631,589,683</b>	<b>0.00</b>
<b>Total State</b>	<b>3,990,812,680</b>	<b>833,980,293</b>

1 SECTION 4. Section 15LLL of chapter 6 of the General Laws, as appearing in the 2008  
2 Official Edition, is hereby amended by striking out, in line 2, the word "October" and  
3 inserting in place thereof the following word:- May.

4 SECTION 5. Clause (20) of subsection (a) of section 172 of chapter 6 of the General  
5 Laws, as appearing in section 21 of chapter 256 of the acts 2010, is hereby amended by  
6 striking out the figure "183" and inserting in place thereof the following words:- 57A of  
7 chapter 6C.

8 SECTION 6. Section 183 of said chapter 6 is hereby repealed.

9 SECTION 7. Section 18½ of chapter 6A of the General Laws is hereby amended by  
10 striking out, in lines 12 and 13, as appearing in the 2008 Official Edition, the words "the  
11 registry of motor vehicles, the merit rating board".

12 SECTION 8. Chapter 6C of the General Laws is hereby amended by inserting after  
13 section 57 the following section:-

14 Section 57A. (a) There shall be within the registry of motor vehicles a motor vehicle  
15 insurance merit rating board, in this section called the board. The board shall consist of  
16 the registrar of motor vehicles, who shall serve as chair, the commissioner of insurance  
17 and the attorney general or a designee. The board shall appoint a director, who shall not  
18 be subject to chapter 31. The board shall formulate and administer a plan for compiling,  
19 gathering and disseminating information, operator records and histories and such other  
20 data as it deems necessary or appropriate pertaining to motor vehicle accidents, claims  
21 under motor vehicle policies and motor vehicle violations in order to facilitate the  
22 implementation and operation of the safe driver insurance plan provided in section 113B  
23 of chapter 175.

24 (b) The plan shall include a system for gathering and maintaining the information  
25 provided for in subsection (a) and for its prompt and efficient dissemination to insurance  
26 companies making inquiry with respect to the motor vehicle accident, motor vehicle  
27 insurance claim and motor vehicle violation record of any owner or operator insured by  
28 or applying for insurance from such insurer. These records and data disseminated by the  
29 plan shall be used exclusively for motor vehicle insurance purposes and criminal law  
30 enforcement purposes. Whoever disseminates or uses records or data disseminated under  
31 the plan in violation of this section shall be punished by a fine of not more than \$1,000  
32 for each offense or by imprisonment for not more than 1 year, or both.

33 (c) The board shall have access to criminal offender record information for the purpose of  
34 developing the plan. The department of criminal justice information services shall certify  
35 the board and each insurance company doing motor vehicle insurance business within the  
36 commonwealth for access to criminal offender record information pertaining to violations  
37 of chapter 90 by its insureds. The board and each such insurance company shall comply  
38 with the regulations of the department of criminal justice information services and shall  
39 be subject to sections 172 to 178, inclusive, of chapter 6.



(d) The board may expend for expenses and for legal, investigative, clerical and other assistance amounts appropriated for those purposes. All costs of administration and operation of the board shall be borne by insurance companies doing motor vehicle insurance business within the commonwealth. The commissioner of insurance shall apportion estimated costs among all such companies and shall assess those companies for those costs on a fair and reasonable basis. The estimated costs shall be paid to the commissioner within 30 days after the date of the notice from the commissioner of these estimated costs. The commissioner shall subsequently apportion actual costs among all such companies and shall make assessment adjustments for any variation between estimated and actual costs on a fair and reasonable basis. The estimated and actual costs shall include an amount equal to indirect costs as determined by the secretary of administration and finance and shall also include the cost of fringe benefits as established by the secretary of administration and finance.

SECTION 9. The first paragraph of section 4A of chapter 7 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following sentence:- The executive office shall also include an office of commonwealth performance, accountability and transparency.

SECTION 10. Said section 4A of said chapter 7 is hereby further amended by striking out, in line 74, as so appearing, the word "secretary" and inserting in place thereof the following word:- governor.

SECTION 11. The first paragraph of subsection (d) of said section 4A of said chapter 7, as so appearing, is hereby further amended by adding the following 2 sentences:- The division may also offer information technology services to municipalities, authorities, constitutional offices and other political subdivisions of the commonwealth. The information technology division shall consult with the division of local services to identify ways to better assist municipalities and regional entities in procuring and developing information technology services.

SECTION 12. Said subsection (d) of said section 4A of said chapter 7 is hereby further amended by inserting after the second paragraph, inserted by section 10 of chapter 56 of the acts of 2010, the following paragraph:-

(e) The office of commonwealth performance, accountability and transparency shall be headed by an assistant secretary of commonwealth performance, accountability and transparency who shall be appointed by the secretary. The assistant secretary shall have at least 5 years experience in the area of performance management systems. The office shall: (1) execute a performance management program throughout the executive department including, within statutory limits for each agency, defining missions; creating measurable goals; establishing strategies for achieving those goals and relating them to budget development; (2) monitor and review federal grant applications made on behalf of the commonwealth and coordinate efforts to maximize federal revenue opportunities and oversight of compliance with federal reporting requirements; (3) ensure transparency of the commonwealth's administration and finance activities, including the operation of the searchable website required by section 14C; (4) establish and maintain a central intake

unit for reports of fraud, waste and abuse; (5) establish and maintain an economic forecasting and analysis unit to coordinate all spending and revenue forecasting by state agencies and coordinate with the caseload and economic forecasting office established in section 4R; (6) perform the executive office's duties for privatization contracts under section 54; (7) reduce and simplify paperwork of state agencies and departments by adopting uniform forms or federal forms, if possible, when they are shorter than the corresponding state forms; (8) implement and streamline electronic paperwork options to better facilitate public interaction with state agencies; and (9) collaborate with other state agencies, authorities and other entities to carry out these purposes.

SECTION 13. Section 4D of said chapter 7 is hereby amended by striking out the figure "4", inserted by section 9 of chapter 56 of the acts of 2010, and inserting in place thereof the following figure:- 2.

SECTION 14. Said chapter 7, is hereby amended by inserting after section 4F the following section:-

Section 4F 1/2. There shall be established and set up a separate account, to be known as the Commonwealth Performance, Accountability and Transparency Trust, in this section called the trust. The secretary of administration and finance shall expend funds in the trust without further appropriation to support the purposes of the office of commonwealth performance, accountability and transparency, established by subsection (e) of section 4A. The comptroller shall annually transfer to the trust, from the indirect costs charged under section 5D of chapter 29, an amount determined by the secretary for these purposes, not exceeding \$500,000 plus the one-time costs of any technology as determined by the secretary.

SECTION 15. Said chapter 7 of the General Laws is hereby further amended by inserting after section 4Q the following section:-

Section 4R. (a) There shall be within the office of commonwealth performance, accountability and transparency a caseload and economic forecasting office, in this section called the office. The office shall forecast caseloads for state-subsidized childcare, MassHealth, emergency assistance and housing programs, the group insurance commission, direct benefits provided by the department of transitional assistance, and other related economic forecasts, and shall promote accuracy and transparency in all caseload forecasts. For the purposes of this section, "caseload" shall mean the number of persons expected to meet entitlement requirements and require the services of state-subsidized programs.

(b) There shall be an advisory board to advise the office and oversee the preparation and content of caseload forecasts. The board shall consist of 9 members: the assistant secretary for commonwealth performance, accountability and transparency or a designee, who shall serve as chairperson; the director of Medicaid or a designee; 2 designees of the secretary of health and human services to represent the department of transitional assistance and the department of children and families, respectively; the executive

122 director of the group insurance commission or a designee; the undersecretary of housing  
123 and community development or a designee; 1 member to be appointed by the governor,  
124 who shall be a health economist, econometrician or statistician; 1 member to be  
125 appointed by the senate president, with a background in statistics, economics or  
126 forecasting; and 1 member to be appointed by the speaker of the house of representatives,  
127 who shall have a background in statistics, economics or forecasting. All appointed  
128 members shall serve for terms of 3 years. A person appointed to fill a vacancy in the  
129 office of a member of the board shall be appointed in a like manner and shall serve only  
130 for the unexpired term. An appointed member of the board shall be eligible for  
131 reappointment. Five members of the board shall constitute a quorum and the affirmative  
132 vote of 5 members of the board shall be necessary and sufficient for any action taken by  
133 the board. No vacancy in the membership of the board shall impair the right of a quorum  
134 to exercise all the rights and duties of the office. Members shall serve without pay, but  
135 shall be reimbursed for actual expenses necessarily incurred in the performance of their  
136 duties.

137 (c) The office shall collect data from state agencies to the extent necessary to forecast  
138 caseloads for the state-subsidized services detailed in subsection (a) and agencies shall  
139 submit the data to the office upon request. When collecting data, the office shall, to the  
140 extent possible, utilize existing data sources and agency processes for data collection,  
141 analysis and technical assistance. The office may enter into an interagency service  
142 agreement with the division of health care finance and policy for data collection analysis  
143 and technical assistance. The office, through its rules and regulations, may determine  
144 what type of data may reasonably be required and the format in which it shall be  
145 provided.

146 (d) The office shall, in consultation with the board, (i) prepare a caseload forecast for the  
147 state-subsidized services detailed in subsection (a) for the current and upcoming state  
148 fiscal year; and (ii) prepare other caseload forecasts based on alternative assumptions as  
149 the board may determine or as may be requested by the executive office for  
150 administration and finance or the senate and house committees on ways and means.

151 (e) The office shall report its forecasts to the executive office for administration and  
152 finance and the house and senate committees on ways and means on or before December  
153 1 and March 15 each year unless otherwise provided in the general appropriation act.

154 SECTION 16. The definition of "Privatization contract" in section 53 of said chapter 7 as  
155 amended by section 7 of chapter 27 of the acts of 2009, is hereby further amended by  
156 inserting, after the second sentence, the following sentence:- A contract for information  
157 technology services shall not be considered a privatization contract if an employee  
158 organization recognized under chapter 150E, as the exclusive representative of an  
159 affected employee, as determined by the secretary of administration and finance, agrees  
160 to the terms of the contract in writing.

161 SECTION 17. Section 58 of said chapter 7, inserted by section 2 of chapter 56 of the acts  
162 of 2010, the first time it appears, is hereby amended by inserting after the definition of  
163 "Director" the following definition:-

164 "Disadvantaged business enterprise", a disadvantaged business enterprise as defined by  
165 the United States Department of Transportation in 49 C.F.R. § 26 *et seq.*

166 SECTION 18. Said section 58 of said chapter 7, as so inserted, is hereby further amended  
167 by inserting after the definition of "State purchasing agent" the following definition:-

168 "Unified certification program", the program, whereby the supplier diversity office  
169 certifies disadvantaged business enterprises, as required by regulations of the United  
170 States Department of Transportation in 49 C.F.R. § 26 *et seq.*

171 SECTION 19. Said chapter 7 is hereby further amended by inserting after section 59, the  
172 following section:-

173 Section 60. (a) There shall be established a separate account to be known as the Unified  
174 Certification Program Trust Fund, in this section called the fund. The state purchasing  
175 agent shall expend funds, without further appropriation, exclusively for the operation of  
176 the unified certification program.

177 (b) Funds received from the federal government by the following state and regional  
178 authorities and municipal and regional airports, in this section collectively referred to as  
179 the participants, and any others that take part in the unified certification program, for the  
180 purpose of operating the unified certification program, shall be deposited in the fund: the  
181 Massachusetts Department of Transportation, the Massachusetts Bay Transportation  
182 Authority, the Massachusetts Port Authority, the Berkshire Regional Transit Authority,  
183 the Brockton Area Transit Authority, the Cape Cod Regional Transit Authority, the  
184 Greater Attleboro-Taunton Regional Transit Authority, the Lowell Regional Transit  
185 Authority, the Merrimack Valley Regional Transit Authority, the Montachusett Regional  
186 Transit Authority, the Pioneer Valley Regional Transit Authority, the Southeastern  
187 Regional Transit Authority, the Worcester Regional Transit Authority, Barnstable  
188 Municipal Airport, Martha's Vineyard Airport, Nantucket Memorial Airport and New  
189 Bedford Regional Airport. The methodology used in determining the allocation of  
190 payments due from each participant shall be determined pursuant to a formula, subject to  
191 modification from time to time, that is established by and between the Massachusetts  
192 Department of Transportation, the participants and the United States Department of  
193 Transportation, consistent with applicable federal laws and regulations.

194 SECTION 20. Section 9 of chapter 8 of the General Laws, as appearing in the 2008  
195 Official Edition, is hereby amended by striking out, in line 16, the words "the division of  
196 urban" and inserting in place thereof the following word:- state.

197 SECTION 21. Chapter 10 of the General Laws is hereby amended by inserting after  
198 section 35QQ the following 2 sections:-

199 Section 35RR. There shall be established and set up on the books of the commonwealth a  
200 separate fund to be known as the Health Information Technology Trust Fund, in this  
201 section called the fund. There shall be credited to the fund revenues from federal  
202 reimbursements under the Health Information Technology for Economic and Clinical  
203 Health Act, Title XIII of Division A and Title IV of Division B of Pub. L. No. 111-5, and  
204 any other federal reimbursements, grants, premiums, gifts or other contributions from any  
205 source received for or in support of the health care provider incentive payment program  
206 and for the promotion of electronic health record adoption and health information  
207 exchange in the commonwealth. The secretary of health and human services shall be the  
208 fund's trustee and shall expend the fund, without further appropriation, for incentive  
209 payments to eligible Massachusetts Medicaid health care providers for the adoption,  
210 implementation, upgrade or meaningful use of certified electronic health record  
211 technology and to support the planning, implementation and operating costs of  
212 administering these payments. The secretary may certify for payment amounts in  
213 anticipation of federal revenues collected for the corresponding quarter during the  
214 previous fiscal year. For the purpose of accommodating timing discrepancies between the  
215 receipt of revenues and related expenditures, the secretary may incur expenses, after  
216 written approval from the secretary of administration and finance, and the comptroller  
217 shall certify for payment, amounts not to exceed the most recent revenue estimate as  
218 certified by the MassHealth director, as reported in the state accounting system.

219 Section 35SS. There shall be established and set up on the books of the commonwealth a  
220 separate fund to be known as the Build America Bonds Subsidy Trust Fund, in this  
221 section called the fund. There shall be credited to the fund payments received from the  
222 United States Treasury for subsidies related to any tax credit bonds issued by the  
223 commonwealth for the purpose of paying or reimbursing interest on such bonds. The state  
224 treasurer shall be the fund's trustee, may credit any such payments to the appropriate  
225 funds or accounts of the commonwealth allocable to the payment of such interest and in  
226 accordance with any applicable trust agreements pursuant to which any bonds were  
227 issued and shall make expenditures from the fund, without further appropriation, to pay  
228 debt service related to such bonds. The comptroller may, without further appropriation,  
229 transfer from any available appropriation any amount determined by the comptroller to  
230 have been withheld by the federal government from a tax credit bond subsidy payment.

231 SECTION 22. The first paragraph of section 12 of chapter 11 of the General Laws, as  
232 appearing in the 2008 Official Edition, is hereby amended by striking out the first  
233 sentence and inserting in place thereof the following 3 sentences:- The department of the  
234 state auditor shall audit the accounts, programs, activities and functions directly related to  
235 the aforementioned accounts of all departments, offices, commissions, institutions and  
236 activities of the commonwealth, including those of districts and authorities created by the  
237 general court and including those of the income tax division of the department of revenue  
238 and, for such purposes, the authorized officers and employees of the department of the  
239 state auditor shall have access to such accounts at reasonable times and the department  
240 may require the production of books, documents, vouchers and other records relating to  
241 any matter within the scope of an audit conducted under this section or section 13, except  
242 tax returns. In determining the audit frequency of a covered entity, the department shall  
243 consider the materiality, risk and complexity of the entity's activities as well as the nature

and extent of prior audit findings. Each entity may be audited separately as a part of a larger organizational entity or as a part of an audit covering multiple entities; provided, however, that each entity shall be audited at least once every 3 years and an entity shall be subject to audit as often as the state auditor determines it necessary.

SECTION 23. Section 6 of chapter 14 of the General Laws, as so appearing, is hereby amended by adding the following clause:-

9. Shall publish on the department website, and shall update no less than quarterly, a listing of tax policy issues under development. The listing shall include a brief description of all tax policy matters, excluding letter rulings requested by individual taxpayers, on which, as of the date of publication, the commissioner reasonably anticipates issuing public guidance within the subsequent 12 months.

SECTION 24. Section 15E of chapter 15A of the General Laws is hereby amended by striking out the second paragraph, as amended by section 26 of chapter 189 of the acts of 2010 and inserting in place thereof the following paragraph:-

Subject to appropriation, the commonwealth shall contribute funds to each institution's recognized foundation in an amount necessary to match private contributions in the current fiscal year to the institution's or a foundation's endowment or capital outlay program based on the following matching formula: subject to appropriation, the commonwealth's contribution shall be equal to \$1 for every \$2 privately contributed to the university's board of trustees or a foundation; \$1 for every \$2, or \$1 dollar for such greater number of dollars as may be established by the board of higher education, privately contributed to each state university's board of trustees or foundation; and \$1 for every \$2, or \$1 for such greater number of dollars as may be established by the board of higher education, privately contributed to each community college's board of trustees or foundation.

SECTION 25. Said section 15E of said chapter 15A, as amended by said section 27 of said chapter 189, is hereby further amended by striking out the fourth paragraph as amended by section 27 of said chapter 189.

SECTION 26. Section 40 of said chapter 15A, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word "writing", in lines 82, 93 and 104, each time it appears, the following words:- , or in another form acceptable to the council,.

SECTION 27. Chapter 18 of the General Laws is hereby amended by inserting after section 5H the following 3 sections:-

Section 5I. Notwithstanding any general or special law to the contrary, eligible recipients of direct cash assistance shall not use direct cash assistance funds for the purchase of alcoholic beverages, lottery tickets or tobacco products. An eligible recipient of direct cash assistance who makes a purchase in violation of this section shall reimburse the department for such purchase.

282 Section 5J. Notwithstanding any general or special law to the contrary, an individual or  
283 store owner shall not accept direct cash assistance funds held on electronic benefit  
284 transfer cards for the purchase of alcoholic beverages, lottery tickets, or tobacco products.  
285 An individual or store owner who knowingly accepts electronic benefit transfer cards in  
286 violation of this section shall be punished by a fine of not more than \$500 for the first  
287 offense, a fine of not less than \$500 nor more than \$1,000 for the second offense, and a  
288 fine of not less than \$1,000 for the third or subsequent offense.

289 Section 5K. Notwithstanding any general or special law to the contrary, whoever  
290 embezzles, steals or obtains by fraud any funds, assets or property provided by the  
291 department of transitional assistance and whoever receives, conceals or retains such  
292 funds, assets or property for his own interest knowing such funds, assets or property have  
293 been embezzled, stolen or obtained by fraud shall, if such funds, assets or property are of  
294 a value of \$100 or more, be punished by a fine of not more than \$25,000 or by  
295 imprisonment in a jail or house of correction for not more than 5 years, or both such fine  
296 and imprisonment, or if such funds, assets or property are of a value of less than \$100, by  
297 a fine of not more than \$1,000 or by imprisonment in a jail or house of correction for not  
298 more than 1 year, or both such fine and imprisonment.

299 SECTION 28. Section 6 of chapter 18C of the General Laws, as appearing in the 2008  
300 Official Edition, is hereby amended by striking out, in line 4, the words "to all relevant"  
301 and inserting in place thereof the following words:- shall have unrestricted access to all  
302 electronic information systems.

303 SECTION 29. Section 1 of chapter 21 of the General Laws, as so appearing, is hereby  
304 amended by striking out the fourth paragraph and inserting in place thereof the following  
305 paragraph:-

306 The department of conservation and recreation shall consist of a division of state parks  
307 and recreation and a division of water supply protection. Each division shall be under the  
308 administrative supervision of a director and shall be under the supervision and control of  
309 the commissioner of the department of conservation and recreation. The division of water  
310 supply protection shall have control over the watershed and water supply systems in  
311 accordance with chapter 92A½. The division of state parks and recreation shall have  
312 control over the state parks, forests, parkways, waterways, rinks, pools, beaches and other  
313 recreational lands and facilities outside of the watershed systems as defined in sections 1  
314 and 2 of chapter 92A½.

315 SECTION 30. Section 2F of said chapter 21, as so appearing, is hereby amended by  
316 striking out, in lines 1 and 2, the words "directors of the divisions of state parks and  
317 recreation and urban " and inserting in place thereof the following words:- director of  
318 state.

319 SECTION 31. Section 3 of said chapter 21, as so appearing, is hereby amended by  
320 striking out, in line 8, the words "urban parks and recreation,".

SECTION 32. Section 8 of chapter 21A of the General Laws, as so appearing, is hereby amended by striking out, in lines 43 and 44, the words "urban parks and recreation, a division".

SECTION 33. Paragraph (1) of subsection (c) of section 22 of chapter 21A of the General Laws, as so appearing, is hereby amended by striking out clause (i) and inserting in place thereof the following clause:-

(i) to reimburse a municipality in which the property tax receipts from an electric generating station including, for the purposes of this clause, payments in lieu of taxes and other compensation specified in an agreement between a municipality and an affected property owner, are reduced due to full or partial decommissioning of the facility or other change in operating status of the facility if such action also reduces the commonwealth's greenhouse gas emissions from the electric generator sector under the goals established under chapter 21N; provided, however that the amount of such reimbursement shall be determined by calculating the difference between the amount of the tax receipts, including payments in lieu of taxes or other compensation paid by the electric generating station in the current tax year and the amount of the tax receipts, including payments in lieu of taxes or other compensation paid by the electric generating station in the year prior to the full or partial decommissioning or other change in operating status of the facility; provided further, that no reimbursement shall be made if, in a tax year, the aggregate amount paid to a municipality by the owner of an electric generating station including, but not limited to, payments in lieu of taxes and other compensation, exceeds the aggregate amount paid to that municipality by that owner in the year prior to the full or partial decommissioning or other change in operating status of the facility. After full or partial decommissioning or other change in operating status of the facility, the electric generating station's tax obligation shall be based, on an annual basis, on tax receipts, including payments in lieu of taxes or other compensation that have been negotiated in good faith by the electric generating station and municipality on or before January 30 of the current tax year; provided however, that if the electric generating station and municipality have not negotiated in good faith payments in lieu of taxes and other compensation in the nature of property tax payments by said January 30, then the facility's tax obligation shall be determined by an independent third party assessor paid by said facility, but selected jointly by the municipality and the facility, or if they are unable to arrive at a joint selection, by the department of revenue. The municipality shall be entitled to reimbursement for the difference between the amount called for in such assessment and the amount of the tax receipts, including payments in lieu of taxes or other compensation paid in the year prior to the full or partial decommissioning or other change in operating status of the facility, provided that such independent assessment is filed with any request for funds under this clause. Payments from the fund shall be prioritized so that the first payments from the fund shall be made to municipalities under this clause.

SECTION 34. Subsection (o) of section 3A of chapter 21E of the General Laws, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following 2 sentences:- In each year the department shall, at a minimum, audit a statistically significant number, as determined by the department, of all sites for which



365 annual compliance assurance fees are required to be paid under section 3B. In  
366 determining the statistically significant number, the department shall take into account  
367 the need for audits to ensure a high level of compliance with this chapter and the  
368 Massachusetts Contingency Plan and the need to target audit resources in the most  
369 efficient and effective manner.

370 SECTION 35. Chapter 22 of the General Laws is hereby amended by adding the  
371 following section:-

372 Section 21. (a) The commissioner or his designee and such other person as may be  
373 specifically authorized may issue a written notice of violation, which shall be a written  
374 warning or a citation to assess civil monetary fines of not more than \$5,000, for a  
375 violation of the following laws or of regulations adopted thereunder:

376 (1) section 13A; provided, however, that an inspector assigned to the building division or  
377 a designee of the architectural access board may also issue a warning or citation under  
378 this section;

379 (2) sections 1, 2 and 64 of chapter 105;

380 (3) section 205A of chapter 140; provided, however, that an inspector assigned to the  
381 building division or the engineering division of the department may also issue a warning  
382 or citation under this section;

383 (4) sections 3V, 9 and 50 of chapter 143; provided, however, that an inspector assigned to  
384 the building division of the department may also issue a warning or citation under these  
385 sections;

386 (5) sections 65, 71 and 71D of chapter 143; provided, however, that an inspector assigned  
387 to the elevator division of the department may also issue a warning or citation under this  
388 section;

389 (6) sections 71K and 71N of chapter 143; provided, however, that a designee of the  
390 recreational tramway board may also issue a warning or citation under these sections;

391 (7) sections 5 to 41, inclusive, sections 53 to 54A, inclusive, sections 70 to 80, inclusive,  
392 or section 89 of chapter 146; provided, however, that an inspector assigned to the  
393 engineering division of the department may also issue a warning or citation under these  
394 sections;

395 (8) the regulations of the state building code governing licensing of construction  
396 supervisors under section 94 of chapter 143; provided, however, that an inspector  
397 assigned to the building division of the department may also issue a warning or citation  
398 under such regulations; and

399 (9) sections 57 and 60 of chapter 147.

(b) The commissioner may adopt regulations for the administration and enforcement of this section.

(c) The individual issuing the written notice of violation shall indicate on the notice that it is for: (i) a written warning or a citation; and (ii) a violation of the specific law or regulation referenced in subsection (a).

(d) A person, firm or corporation who is issued a citation in a written notice of violation may appeal to a hearing officer designated by the secretary of public safety and security within 30 days after receipt of the notice. All appeal hearings shall be held in accordance with the standard rules governing informal adjudicatory proceedings adopted under section 9 of chapter 30A.

(e) A person, firm or corporation who is issued a citation in a written notice of a violation and who fails to: (i) pay the fines assessed within 30 days after receipt of the notice; (ii) appeal within the 30 days; or (iii) appear at a scheduled appeal hearing, shall be deemed responsible for the violation as stated in the notice. The finding of responsibility shall be admissible as prima facie evidence of responsibility for the violation in any civil proceeding regarding the violation, in any proceeding to suspend or revoke a license, permit or certificate and in any criminal proceeding.

SECTION 36. Section 5 of chapter 23I of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after subsection (c) the following subsection:-

(d) There shall be established a life sciences tax incentive program. The center, in consultation with the department, may annually authorize incentives, including incentives carried forward or refunded pursuant to subsections (m), (n) and (r) of section 6 of chapter 62, paragraph 17 of section 30 of chapter 63, the second time it appears, section 31M of said chapter 63, the second time it appears, paragraph 6 of subsection (f) of section 38 of said chapter 63, subsection (j) of section 38M of said chapter 63, section 38U of said chapter 63, section 38V of said chapter 63, section 38W of said chapter 63, section 38CC of said chapter 63, the second paragraph of subsection (c) of section 42B of said chapter 63 and subsection (xx) of section 6 of chapter 64H in a cumulative amount, including the current year cost of incentives allowed in previous years, that shall not exceed \$25,000,000 annually. The center may, in consultation with the department, limit any incentive to a specific dollar amount or time duration or in any other manner deemed appropriate by the department; provided, however, that the department shall only allocate any such incentives among commonwealth certified life sciences companies pursuant to subsection (b) and shall award such tax incentives pursuant to subsection (c).

The center shall provide an estimate to the secretary of administration and finance of the tax cost of extending benefits to a proposed project before certification, as approved by the commissioner of revenue, based on reasonable projections of project activities and costs. Tax incentives shall not be available to a certified life sciences company unless expressly granted by the secretary of administration and finance in writing.

440 SECTION 37. Section 2H of chapter 29, as so appearing, is hereby amended by adding  
441 the following paragraph:-

442 Upon receiving a written joint certification from the commissioner of revenue and the  
443 attorney general that a state agency is in receipt of a one-time settlement or judgment for  
444 the commonwealth, of which the net value to the commonwealth of the proceeds of that  
445 settlement or judgment, after all restitution or other remedial payments are made pursuant  
446 to the settlement or judgment, exceeds \$10,000,000 in any one fiscal year, the  
447 comptroller shall transfer said proceeds from the General Fund to the Stabilization Fund  
448 established under this section.

449 SECTION 38. Section 2RR of said chapter 29 of the General Laws is hereby amended by  
450 inserting after the word "Training", in line 3, as so appearing, the following word:- Trust.

451 SECTION 39. Subsection (b) of said section 2RR of said chapter 29, as most recently  
452 amended by section 96 of chapter 3 of the acts of 2011, is hereby further amended by  
453 striking out the introductory sentence and inserting in place thereof the following  
454 introductory sentence:- The director of the department of career services shall be the  
455 trustee of the fund and, without further appropriation, shall make expenditures from the  
456 fund for the following purposes:.

457 SECTION 40. Said chapter 29 is hereby further amended by inserting after section 5G  
458 the following section:-

459 Section 5H. Notwithstanding any general or special law to the contrary, the department of  
460 the state treasurer shall report by September 30 to the state comptroller, the executive  
461 office for administration and finance and the house and senate committees on ways and  
462 means the value of all property assumed abandoned, as defined by chapter 200A, in the  
463 previous fiscal year; provided, however, that beginning October 31 and quarterly  
464 thereafter the department of the state treasurer shall, within 15 days, certify to the state  
465 comptroller the amount collected in abandoned property revenues for the previous  
466 quarter. The department of the state treasurer shall certify by October 31, the amount of  
467 actual receipts of abandoned property for the previous fiscal year, and beginning in fiscal  
468 year 2013, the comptroller shall transfer 75 per cent of the growth in abandoned property  
469 revenue that exceeds the amount collected during the previous fiscal year to the  
470 Commonwealth Stabilization Fund established by section 2H; provided, however, that  
471 said transfer shall be made prior to the certification of the consolidated net surplus for the  
472 previous fiscal year as provided in section 5C.

473 SECTION 41. Said chapter 29 is hereby further amended by inserting after section 29J  
474 the following section:-

475 Section 29K. (a) Each state authority that receives a total amount of appropriations from  
476 the commonwealth equal to or in excess of \$500,000 in any fiscal year shall, on an annual  
477 basis, conduct an audit of those funds. Each such audit shall be conducted by an  
478 independent auditor and shall be filed with the state auditor for examination, review and  
479 comment.

480 (b) Each state authority shall:

481 (1) establish an audit committee that shall meet independently of management at least  
482 once per calendar year, retain an independent auditor and hear the results of the annual  
483 audit; provided, however, that a state authority may rely upon an audit required by any  
484 other general or special law in meeting the requirements of this section;

485 (2) establish a compensation committee that shall: (i) meet independently of  
486 management at least once per calendar year and shall evaluate and establish executive  
487 compensation including, but not limited to, base salary, bonuses, severance, retirement or  
488 deferred compensation packages and policies relative to the accrual and payment of sick  
489 and vacation time, including payouts for unused sick and vacation time; and (ii) analyze  
490 and assess comparable compensation for positions with similar functions and  
491 responsibilities at state agencies and authorities, as well as for-profit and nonprofit  
492 private-sector employers; and

493 (3) prepare an annual financial report which shall disclose operating revenues and  
494 expenses, including the salaries and compensation of its executive director, officers,  
495 board members and senior management, and other highly-compensated employees.

496 (c) No executive of a state authority shall be compensated for sick, vacation or other  
497 leave time to an extent greater than the leave time granted to a state employee.

498 (d) No executive of a state authority shall be granted severance pay after removal for  
499 cause and no executive shall be granted severance pay in excess of 3 months' salary if  
500 removed other than for cause.

501 (e) The commonwealth shall not subsidize the health insurance, pension and other post-  
502 employment benefits of state authority employees and retirees. Each state authority and  
503 independent entity shall be charged the full actuarial value of its liabilities by the public  
504 employee retirement administration commission and the group insurance commission.

505 (f) The secretary of administration and finance shall adopt regulations to carry out this  
506 section. Audits and financial reports shall be based on generally accepted accounting  
507 principles or generally accepted government auditing standards and shall be considered a  
508 public record under clause Twenty-sixth of section 7 of chapter 4.

509 (g) Nothing in this section shall be construed to limit the authority of the attorney general,  
510 inspector general, state auditor or other state agency.

511  
512 SECTION 42. Section 49 of said chapter 29, as appearing in the 2008 Official Edition, is  
513 hereby amended by adding the following paragraph:-

514 If bonds are issued subject to a requirement under federal tax law that the proceeds from  
515 any investment of the proceeds from the sale of the bonds shall be used for capital  
516 expenditures including, without limitation, section 54AA(g)(2) of the Internal Revenue  
517 Code of 1986, as amended, the state treasurer may, without further appropriation or  
518 allotment, apply investment earnings allocable to the proceeds of such bonds to the

519 payment or reimbursement of capital expenditures for which bonds have been authorized  
520 but not yet issued, and the amount of bonds authorized to be issued for any such  
521 expenditures shall be reduced by the amount of investment earnings so applied.

522 SECTION 43. Section 45 of chapter 30 of the General Laws, as so appearing, is hereby  
523 amended by inserting after the word "branches", in line 8, the following words:- , in the  
524 state ethics commission.

525 SECTION 44. The third paragraph of the definition of "Regular compensation" in section  
526 1 of chapter 32 of the General Laws, inserted by section 23 of chapter 131 of the acts of  
527 2010, is hereby amended by striking out the second sentence and inserting in place  
528 thereof the following sentence:- Faculty, librarians and administrators in public higher  
529 education who are eligible for the state employees' retirement system shall not be  
530 prohibited from participating in the optional retirement program pursuant to section 40 of  
531 chapter 15A.

532 SECTION 45. Section 22C of said chapter 32 of the General Laws is hereby amended by  
533 striking out, in line 29, as so appearing, the words "on June 30, 2025" and inserting in  
534 place thereof the following words:- by June 30, 2040.

535 SECTION 46. Subdivision (1) of said section 22C of said chapter 32 is hereby amended  
536 by striking out the last paragraph, as appearing in section 23 of chapter 27 of the acts of  
537 2009, and inserting in place thereof the following paragraph:-

538 Notwithstanding any general or special law to the contrary, appropriations or transfers  
539 made to the Commonwealth's Pension Liability Fund in fiscal years 2012 to 2017,  
540 inclusive, shall be made in accordance with the following funding schedule:  
541 \$1,478,000,000 in fiscal year 2012, \$1,552,000,000 in fiscal year 2013, \$1,630,000,000  
542 in fiscal year 2014, \$1,727,000,000 in fiscal year 2015, \$1,831,000,000 in fiscal year  
543 2016 and \$1,941,000,000 in fiscal year 2017. Notwithstanding any provision of this  
544 subdivision to the contrary, any adjustments to these amounts based on the next triennial  
545 funding schedule shall be limited to increases in the schedule amounts for each of the  
546 specified years.

547 SECTION 47. Section 19 of said chapter 32A, as so appearing, is hereby amended by  
548 inserting after the word "Effective", in line 1, the following words:- January 1 and.

549 SECTION 48. Said section 19 of said chapter 32A, as so appearing, is hereby further  
550 amended by inserting after the word "rate", in line 10, the following words:- in effect.

551 SECTION 49. Section 24 of said chapter 32A is hereby amended by inserting after the  
552 word "system", in line 16, as so appearing, the following words:- and for depositing,  
553 investing and disbursing amounts transferred to it under subsection (d).

554 SECTION 50. Said section 24 of said chapter 32A is hereby further amended by striking  
555 out subsection (d), as so appearing, and inserting in place thereof the following  
556 subsection:-

(d) Upon authorization by the board, any political subdivision, municipality, county or agency or authority of the commonwealth may participate in the fund using procedures and criteria to be adopted by the board.

SECTION 51. Chapter 32B of the General Laws is hereby amended by striking out section 2, as so appearing, and inserting in place thereof the following section:-

Section 2. As used in this chapter the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Appropriate public authority”, as to a county, except Worcester county, the county commissioners; as to a city, the mayor; as to a town, the selectmen; as to a district, the governing board of the district and for the purposes of this chapter if a collective bargaining agreement is in place, as to a commonwealth charter school as defined by section 89 of chapter 71, the board of trustees; and as to an education collaborative, as defined by section 4E of chapter 40, the board of directors.

“Commission”, the group insurance commission established by section 3 of chapter 32A.

“Dependent”, an employee’s spouse, an employee’s unmarried children under 19 years of age and any child 19 years of age or over who is mentally or physically incapable of earning the child’s own living; provided, however, that any additional premium which may be required shall be paid for the coverage of such child 19 years of age or over; provided further, that “dependent” shall also include an unmarried child 19 years of age or over who is a full-time student in an educational or vocational institution and whose program of education has not been substantially interrupted by full-time gainful employment, excluding service in the armed forces; provided further, that any additional premium which may be required for the coverage of such student shall be paid in full by the employee. The standards for such full-time instruction and the time required to complete such a program of education shall be determined by the appropriate public authority.

“District”, any water, sewer, light, fire, veterans’ services or other improvement district or public unit created within 1 or more political subdivisions of the commonwealth to provide public services or conveniences.

“Employee”, any person in the service of a governmental unit or whose services are divided between 2 or more governmental units or between a governmental unit and the commonwealth, and who receives compensation for any such service, whether such person is employed, appointed or elected by popular vote, and any employee of a free public library maintained in a city or town to the support of which that city or town annually contributes not less than one-half of the cost; provided, however, that the duties of such person require not less than 20 hours, regularly, in the service of the governmental unit during the regular work week of permanent or temporary employment; provided further, that no seasonal employee or emergency employees shall be included, except that persons elected by popular vote may be considered eligible employees during

the entire term for which they are elected regardless of the number of hours devoted to the service of the governmental unit. A member of a call fire department or other volunteer emergency service agency serving a municipality shall be considered an employee, if approved by vote of the municipal legislative body, and the municipality shall charge such individual 100 per cent of the premium. If an employee's services are divided between governmental units, the employee shall, for the purposes of this chapter, be considered an employee of the governmental unit which pays more than 50 per cent of the employee's salary. But, if no one governmental unit pays more than 50 per cent of that employee's salary, the governmental unit paying the largest share of the salary shall consider the employee as its own for membership purposes, and that governmental unit shall contribute 50 per cent of the cost of the premium. If the payment of an employee's salary is equally divided between governmental units, the governmental unit having the largest population shall contribute 50 per cent of the cost of the premium. If an employee's salary is divided in any manner between a governmental unit and the commonwealth, the governmental unit shall contribute 50 per cent of the cost of the premium. An employee eligible for coverage under this chapter shall not be eligible for coverage as an employee under chapter 32A. Teachers and all other public school employees shall be deemed to be employees during the months of July and August under this chapter; provided, however, that employee contributions for such health insurance for those 2 months are deducted from the compensation paid for services rendered during the previous school year. A determination by the appropriate public authority that a person is eligible for participation in the plan of insurance shall be final. Nothing in this paragraph shall apply to Worcester county or its employees.

"Employer", the governmental unit.

"Governmental unit", any political subdivision of the commonwealth.

"Health care flexible spending account", a federally-recognized tax-exempt health benefit program that allows an employee to set aside a portion of earnings to pay for qualified expenses as established in an employer's benefit plan.

"Health care organization", an organization for the group practice of medicine, with or without hospital or other medical institutional affiliations, which furnishes to the patient a specified or unlimited range of medical, surgical, dental, hospital and other types of health care services.

"Health reimbursement arrangement", a federally-recognized tax-exempt health benefit program funded solely by an employer to reimburse subscribers for qualified medical expenses.

"Optional Medicare extension", a program of hospital, surgical, medical, dental and other health insurance for such active employees and their dependents and such retired employees and their dependents, except elderly governmental retirees insured under section 11B, as are eligible or insured under the federal health insurance for the aged act, as may be amended from time to time.

636 “Political subdivision”, any county, except Worcester county, city, town or district.

637 “Savings”, for the purposes of sections 21, 22 and 23, shall mean the difference between  
638 a political subdivision’s projected premium costs for health insurance with changes made  
639 to health insurance benefits under section 22 or 23 for the first 12 months after the  
640 implementation of such changes and a political subdivision’s projected premium costs for  
641 health insurance benefits provided by that subdivision without such changes for the same  
642 12 month period.

643 “Subscribers”, employees, retirees, surviving spouses and dependents of the political  
644 subdivision and may include employees, retirees, surviving spouses and dependents of a  
645 district who previously received health insurance benefits through the political  
646 subdivision.

647 SECTION 52. Section 12 of said chapter 32B is hereby amended by inserting, at the end  
648 thereof, the following paragraph:-

649 The board of a trust or joint purchase group established by 2 or more governmental units  
650 may vote to implement changes to co-payments, deductibles, tiered provider network  
651 copayments and other plan design features which do not exceed those which an  
652 appropriate public authority may offer under section 22; provided, however, that each  
653 governmental unit that is a member of a trust or group shall comply with the  
654 requirements set forth in section 21 before any such changes may be applied to the health  
655 insurance coverage of such governmental unit’s subscribers. If such changes to the dollar  
656 amounts for copayments, deductibles, tiered provider network copayments and other plan  
657 design features do not exceed those permitted under section 22, such changes shall be  
658 approved in accordance with the provisions of section 21.

659 SECTION 53. Section 18 of said chapter 32B of the General Laws is hereby repealed.

660 SECTION 54. Said chapter 32B is hereby further amended by striking out section 18A,  
661 as appearing in the 2008 Official Edition, and inserting in place thereof the following  
662 section:-

663 Section 18A. (a) A retiree, spouse or dependent insured or eligible to be insured under  
664 this chapter, if enrolled in Medicare Part A at no cost to the retiree, spouse or dependent  
665 or eligible for coverage under Medicare Part A at no cost to the retiree, spouse or  
666 dependent, shall be required to transfer to a Medicare health plan offered by the  
667 governmental unit under section 11C or section 16, if the benefits under the plan and  
668 Medicare Part A and Part B together shall be of comparable actuarial value to those under  
669 the retiree’s existing coverage, but a retiree or spouse who has a dependent who is not  
670 enrolled or eligible to be enrolled in Medicare Part A at no cost shall not be required to  
671 transfer to a Medicare health plan if a transfer requires the retiree or spouse to continue  
672 the existing family coverage for the dependent in a plan other than a Medicare health plan  
673 offered by the governmental unit.



(b) Each retiree shall provide the governmental unit, in such form as the governmental unit shall prescribe, such information as is necessary to transfer to a Medicare health plan. If a retiree does not submit the information required, the retiree shall no longer be eligible for the retiree's existing health coverage. The governmental unit may, from time to time, request from a retiree, a retiree's spouse or a retiree's dependent, proof certified by the federal government, of eligibility or ineligibility for Medicare Part A and Part B coverage.

(c) The governmental unit shall pay any Medicare Part B premium penalty assessed by the federal government on the retiree, spouse or dependent as a result of enrollment in Medicare Part B at the time of transfer.

SECTION 55. The fifth paragraph of subsection (a) of section 19 of said chapter 32B, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following 2 sentences:- Either the public employee committee or the appropriate public authority may convene the initial meeting of the committee at any time upon 7 days notice. Either the public employee committee or the appropriate public authority may convene any subsequent meeting with notice of not less than 3 business days.

SECTION 56. Said section 19 of said chapter 32B, as so appearing, is hereby amended by striking out, in line 58, the words "70 per cent" and inserting in place thereof the following words:- a majority.

SECTION 57. Said chapter 32B is hereby further amended by striking out section 20, as so appearing, and inserting in place thereof the following section:-

Section 20. (a) A city, town, district, county or municipal lighting plant that accepts this section may establish an Other Post-Employment Benefits Liability Trust Fund, and may appropriate amounts to be credited to the fund. Any interest or other income generated by the fund shall be added to and become part of the fund. Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription drug plan under 42 U.S.C. section 1395w-132 may be added to and become part of the fund. All monies held in the fund shall be segregated from other funds and shall not be subject to the claims of any general creditor of the city, town, district, county or municipal lighting plant.

(b) The custodian of the fund shall be (i) a designee appointed by the board of a municipal lighting plant; (ii) the treasurer of any other governmental unit; or (iii) if designated by the city, town, district, county or municipal lighting plant in the same manner as acceptance prescribed in this section, the Health Care Security Trust board of trustees established in section 4 of chapter 29D, provided that the board of trustees accepts the designation. The custodian may employ an outside custodial service to hold the monies in the fund. Monies in the fund shall be invested and reinvested by the custodian consistent with the prudent investor rule established in chapter 203C and may, with the approval of the Health Care Security Trust board of trustees, be invested in the State Retiree Benefits Trust Fund established in section 24 of chapter 32A.

(c) This section may be accepted in a city having a Plan D or Plan E charter, by vote of the city council; in any other city, by vote of the city council and approval of the mayor; in a town, by vote of the town at a town meeting; in a district, by vote of the governing board; in a municipal lighting plant, by vote of the board; and in a county, by vote of the county commissioners.

(d) Every city, town, district, county and municipal lighting plant shall annually submit to the public employee retirement administration commission, on or before December 31, a summary of its other post-employment benefits cost and obligations and all related information required under Government Accounting Standards Board standard 45, in this subsection called "GASB 45", covering the last fiscal or calendar year for which this information is available. On or before June 30 of the following year, the public employee retirement administration commission shall notify any entity submitting this summary of any concerns that the commission may have or any areas in which the summary does not conform to the requirements of GASB 45 or other standards that the commission may establish. The public employee retirement administration commission shall file a summary report of the information received under this subsection with the chairs of the house and senate committees on ways and means, the secretary of administration and finance and the board of trustees of the Health Care Security Trust.

SECTION 58. Said chapter 32B is hereby further amended by adding the following 9 sections:-

Section 21. (a) Any political subdivision electing to change health insurance benefits under sections 22 or 23 shall do so in the following manner: in a county, except Worcester county, by a vote of the county commissioners; in a city having Plan D or a Plan E charter, by majority vote of the city council and approval by the manager; in any other city, by majority vote of the city council and approval by the mayor; in a town, by vote of the board of selectmen; in a regional school district, by vote of the regional district school committee; and in all other districts, by vote of the registered voters of the district at a district meeting. This section shall be binding on any political subdivision that implements changes to health insurance benefits pursuant to section 22 or 23.

(b) Prior to implementing any changes authorized under sections 22 or 23, the appropriate public authority shall evaluate its health insurance coverage and determine the savings that may be realized after the first 12 months of implementation of plan design changes or upon transfer of its subscribers to the commission. The appropriate public authority shall then notify its insurance advisory committee, or such committee's regional or district equivalent, of the estimated savings and provide any reports or other documentation with respect to the determination of estimated savings as requested by the insurance advisory committee. After discussion with the insurance advisory committee as to the estimated savings, the appropriate public authority shall give notice to each of its collective bargaining units to which the authority provides health insurance benefits and a retiree representative, hereafter called the public employee committee, of its intention to enter into negotiations to implement changes to health insurance benefits provided by the appropriate public authority. The retiree representative shall be designated by the Retired State, County and Municipal Employees Association. A political subdivision which has

757 previously established a public employee committee under section 19 may implement  
758 changes to its health insurance benefits pursuant to this section and sections 22 and 23.

759 Notice to the collective bargaining units and retirees shall be provided in the same  
760 manner as prescribed in section 19. The notice shall detail the proposed changes, the  
761 appropriate public authority's analysis and estimate of its anticipated savings from such  
762 changes and a proposal to mitigate, moderate or cap the impact of these changes for  
763 subscribers, including retirees, low-income subscribers and subscribers with high out-of-  
764 pocket health care costs, who would otherwise be disproportionately affected.

765 (c) The appropriate public authority and the public employee committee shall have not  
766 more than 30 days from the point at which the public employee committee receives the  
767 notice as provided in subsection (b) to negotiate all aspects of the proposal. An agreement  
768 with the appropriate public authority shall be approved by a majority vote of the public  
769 employee committee; provided, however, that the retiree representative shall have a 10  
770 per cent vote. If after 30 days the appropriate public authority and public employee  
771 committee are unable to enter into a written agreement to implement changes under  
772 section 22 or 23, the matter shall be submitted to a municipal health insurance review  
773 panel. The panel shall be comprised of 3 members, 1 of whom shall be appointed by the  
774 public employee committee, 1 of whom shall be appointed by the public authority and 1  
775 of whom shall be selected through the secretary of administration and finance who shall  
776 forward to the appropriate public authority and the public employee committee a list of 3  
777 impartial potential members, each of whom shall have professional experience in dispute  
778 mediation and municipal finance or municipal health benefits, from which the appropriate  
779 public authority and the public employee committee may jointly select the third member;  
780 provided, however, that if the appropriate public authority and the public employee  
781 committee cannot agree within 3 business days upon which person to select as the third  
782 member of the panel, the secretary of administration and finance shall select the final  
783 member of the panel. Any fee or compensation provided to a member for service on the  
784 panel shall be shared equally between the public employee committee and the appropriate  
785 public authority.

786 (d) The municipal health insurance review panel shall approve the appropriate public  
787 authority's immediate implementation of the proposed changes under section 22 or  
788 section 23; provided, however, that any increases to plan design features have been made  
789 in accordance with the provisions of section 22. If the panel does not approve  
790 implementation of changes made pursuant to section 22, the public authority may submit  
791 a new proposal to the public employee committee for consideration and confirmation  
792 under this section.

793 (e) Within 10 days of receiving any proposed changes under sections 22 or 23, the  
794 municipal health insurance review panel shall: (i) confirm the appropriate public  
795 authority's estimated monetary savings due to the proposed changes under section 22 or  
796 23 and ensure that the savings is substantiated by documentation provided by the  
797 appropriate public authority; provided, however, that if the panel determines the savings  
798 estimate to be unsubstantiated, the panel may require the public authority to submit a new

799 estimate or provide additional information to substantiate the estimate; (ii) review the  
800 proposal submitted by the appropriate public authority to mitigate, moderate or cap the  
801 impact of these changes for subscribers, including retirees, low-income subscribers and  
802 subscribers with high out-of-pocket health care costs, who would otherwise be  
803 disproportionately affected; and (iii) concur with the appropriate public authority that the  
804 proposal is sufficient to mitigate, moderate or cap the impact of these changes for  
805 subscribers, including retirees, low-income subscribers and subscribers with high out-of-  
806 pocket health care costs, who would otherwise be disproportionately affected or revise  
807 the proposal pursuant to subsection (f).

808 (f) The municipal health insurance review panel may determine the proposal to be  
809 insufficient and may require additional savings to be shared with subscribers, particularly  
810 those who would be disproportionately affected by changes made pursuant to sections 22  
811 or 23, including retirees, low-income subscribers and subscribers with high out-of-pocket  
812 costs. In evaluating the distribution of savings to retirees, the panel may consider any  
813 discrepancy between the percentage contributed by retirees, surviving spouses and their  
814 dependents to plans offered by the public authority as compared to other subscribers. In  
815 reaching a decision on the proposal under this subsection, the municipal health insurance  
816 review panel may consider an alternative proposal, with supporting documentation, from  
817 the public employee committee to mitigate, moderate or cap the impact of these changes  
818 for subscribers. The panel may require the appropriate public authority to distribute  
819 additional savings to subscribers in the form of health reimbursement arrangements,  
820 wellness programs, health care trust funds for emergency medical care or inpatient  
821 hospital care, out-of-pocket caps, Medicare Part B reimbursements or reimbursements for  
822 other qualified medical expenses; provided, however that in no case shall the municipal  
823 health insurance review panel designate more than 25 per cent of the estimated savings to  
824 subscribers. The municipal health insurance review panel shall not require a municipality  
825 to implement a proposal to mitigate, moderate or cap the impact of changes authorized  
826 under section 22 or 23 which has a total multi-year cost that exceeds 25 per cent of the  
827 estimated savings. All obligations on behalf of the appropriate public authority related to  
828 the proposal shall expire after the initial amount of estimated savings designated by the  
829 panel to be distributed to employees and retirees has been expended. The panel shall not  
830 impose any change to contribution ratios.

831 (g) The decision of the municipal health insurance review panel shall be binding upon all  
832 parties.

833 (h) The secretary of administration and finance shall promulgate regulations establishing  
834 administrative procedures for the negotiations with the public employee committee and  
835 the municipal health insurance review panel, and issue guidelines to be utilized by the  
836 appropriate public authority and the municipal health insurance review panel in  
837 evaluating which subscribers are disproportionately affected, subscriber income and  
838 subscriber out-of-pocket costs associated with health insurance benefits.

839 Section 22. (a) Upon meeting the requirements of section 21, an appropriate public  
840 authority of a political subdivision which has undertaken to provide health insurance

coverage to its subscribers by acceptance of any other section of this chapter may include, as part of the health plans that it offers to its subscribers not enrolled in a Medicare plan under section 18A, copayments, deductibles, tiered provider network copayments and other plan design features that are no greater in dollar amount than the copayments, deductibles, tiered provider network copayments and other plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a non-Medicare plan with the largest subscriber enrollment; provided, however, that for subscribers enrolled in a Medicare plan pursuant to section 18A the appropriate public authority may include, as part of the health plans that it offers to its subscribers, copayments, deductibles, tiered provider network copayments and other plan design features that are no greater in dollar amount than the copayments, deductibles, tiered provider network copayments and other plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a Medicare plan with the largest subscriber enrollment. The appropriate public authority shall not include a plan design feature which seeks to achieve premium savings by offering a health benefit plan with a reduced or selective network or providers unless the appropriate public authority also offers a health benefit plan to all subscribers that does not contain a reduced or selective network of providers.

(b) An appropriate public authority may increase the dollar amounts for copayments, deductibles, tiered provider network copayments and other plan design features; provided that, for subscribers enrolled in a non-Medicare plan, such features do not exceed plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a non-Medicare plan with the largest subscriber enrollment and, for subscribers enrolled in a Medicare plan under section 18A, such features do not exceed plan design features offered by the commission pursuant to section 4 or 4A of chapter 32A in a Medicare plan with the largest subscriber enrollment; provided, however, that the public authority need only satisfy the requirements of subsection (a) of section 21 the first time changes are implemented pursuant to this section; and provided, further that the public authority meet its obligations under subsections (b) to (h), inclusive, of section 21 each time an increase to a plan design feature is proposed.

Nothing herein shall prohibit an appropriate public authority from including in its health plans higher copayments, deductibles or tiered provider network copayments or other plan design features than those authorized by this section; provided, however, such higher copayments, deductibles, tiered provider network copayments and other plan design features may be included only after the governmental unit has satisfied any bargaining obligations pursuant to section 19 or chapter 150E.

(c) The decision to accept and implement this section shall not be subject to bargaining pursuant to chapter 150E or section 19. Nothing in this section shall preclude the implementation of plan design changes pursuant to this section in communities that have adopted section 19 of this chapter or by the governing board of a joint purchasing group established pursuant to section 12.

(d) Nothing in this section shall relieve an appropriate public authority from providing health insurance coverage to a subscriber to whom it has an obligation to provide coverage under any other provision of this chapter.

(e) The first time a public authority implements plan design changes under this section, the public authority shall not increase the percentage contributed by retirees, surviving spouses and their dependents to their health insurance premiums for a period of 2 years once such changes are in effect.

Section 23. (a) Upon meeting the requirements of section 21, an appropriate public authority which has undertaken to provide health insurance coverage to its subscribers may elect to provide health insurance coverage to its subscribers by transferring its subscribers to the commission and shall notify the commission of such transfer. The notice shall be provided to the commission by the appropriate public authority on or before December 1 of each year and the transfer of subscribers to the commission shall take effect on the following July 1. On the effective date of the transfer, the health insurance of all subscribers, including elderly governmental retirees previously governed by section 10B of chapter 32A and retired municipal teachers previously governed by section 12 of chapter 32A, shall be provided through the commission for all purposes and governed under this section. As of the effective date and for the duration of this transfer, subscribers transferred to the commission's health insurance coverage shall receive group health insurance benefits determined exclusively by the commission and the coverage shall not be subject to collective bargaining, except for contribution ratios.

Subscribers transferred to the commission who are eligible or become eligible for Medicare coverage shall transfer to Medicare coverage, as prescribed by the commission. In the event of transfer to Medicare, the political subdivision shall pay any Medicare part B premium penalty assessed by the federal government on retirees, spouses and dependents as a result of enrollment in Medicare part B at the time of transfer into the Medicare health benefits supplement plan. For each subscriber's premium and the political subdivision's share of that premium, the subscriber and the political subdivision shall furnish to the commission, in such form and content as the commission shall prescribe, all information the commission deems necessary to maintain subscribers' and covered dependents' health insurance coverage. The appropriate public authority of the political subdivision shall perform such administrative functions and process such information as the commission deems necessary to maintain those subscribers' health insurance coverage including, but not limited to, family and personnel status changes, and shall report all changes to the commission. In the event that a political subdivision transfers subscribers to the commission under this section, subscribers may be withdrawn from commission coverage at 3 year intervals from the date of transfer of subscribers to the commission.

The appropriate public authority shall provide notice of any withdrawal by October 1 of the year prior to the effective date of withdrawal. All withdrawals shall be effective on July 1 following the political subdivision's notice to the commission and the political subdivision shall abide by all commission requirements for effectuating such withdrawal,

including the notice requirements in this subsection. In the event a political subdivision withdraws from commission coverage under this section, such withdrawal shall be binding on all subscribers, including those subscribers who, prior to the transfer to the commission, received coverage from the commission under sections 10B and 12 of chapter 32A and, after withdrawal from the commission, those subscribers who received coverage from the commission under said sections 10B and 12 of said chapter 32A shall not pay more than 25 per cent of the cost of their health insurance premiums. In the event of withdrawal from the commission, the political subdivision and public employee unions shall return to governance of negotiations of health insurance under chapter 150E and this chapter; provided, however, that the political subdivision may transfer coverage to the commission again after complying with the requirements of subsections (b) to (h), inclusive, of section 21.

The commission shall issue rules and regulations consistent with this section related to the process by which subscribers shall be transferred to the commission.

(b) To the extent authorized under chapter 32A, the commission shall provide group coverage of subscribers' health claims incurred after transfer to the commission. The claim experience of those subscribers shall be maintained by the commission in a single pool and combined with the claim experience of all covered state employees and retirees and their covered dependents, including those subscribers who previously received coverage under sections 10B and 12 of chapter 32A.

(c) A political subdivision that self-insures its group health insurance plan under section 3A and has a deficit in its claims trust fund at the time of transferring its subscribers to the commission and the deficit is attributable to a failure to accrue claims which had been incurred but not paid may capitalize the deficit and amortize the amount over 10 fiscal years in 10 equal amounts or on a schedule providing for a more rapid amortization. Except as provided otherwise herein, subscribers eligible for health insurance coverage pursuant to this section shall be subject to all of the terms, conditions, schedule of benefits and health insurance carriers as employees and dependents as defined by section 2 and commission regulations. The commission shall, exclusively and not subject to collective bargaining under chapter 150E, determine all matters relating to subscribers' group health insurance rights, responsibilities, costs and payments and obligations excluding contribution ratios, including, but not limited to, the manner and method of payment, schedule of benefits, eligibility requirements and choice of health insurance carriers. The commission may issue rules and regulations consistent with this section and shall provide public notice, and notice at the request of the interested parties, of any proposed rules and regulations and provide an opportunity to review and an opportunity to comment on those proposed rules and regulations in writing and at a public hearing; provided, however, that the commission shall not be subject to chapter 30A.

(d) The commission shall negotiate and purchase health insurance coverage for subscribers transferred under this section and shall promulgate regulations, policies and procedures for coverage of the transferred subscribers. The schedule of benefits available to transferred subscribers shall be determined by the commission pursuant to chapter

32A. The commission shall offer those subscribers the same choice as to health insurance carriers and benefits as those provided to state employees and retirees. The political subdivision's contribution to the cost of health insurance coverage for transferred subscribers shall be as determined under this section, and shall not be subject to the provisions on contributions in said chapter 32A. Any change to the premium contribution ratios shall become effective on July 1 of each year, with notice to the commission of such change not later than January 15 of the same year.

(e) A political subdivision that transfers subscribers to the commission shall pay the commission for all costs of its subscribers' coverage, including administrative expenses and the governmental unit's cost of subscribers' premium. The commission shall determine on a periodic basis the amount of premium which the political subdivision shall pay to the commission. If the political subdivision unit fails to pay all or a portion of these costs according to the timetable determined by the commission, the commission may inform the state treasurer who shall issue a warrant in the manner provided by section 20 of chapter 59 requiring the respective political subdivision to pay into the treasury of the commonwealth as prescribed by the commission the amount of the premium and administrative expenses attributable to the political subdivision. The state treasurer shall recoup any past due costs from the political subdivision's cherry sheet under section 20A of chapter 58 and transfer that money to the commission. If a governmental unit fails to pay to the commission the costs of coverage for more than 90 days and the cherry sheet provides an inadequate source of payment, the commission may, at its discretion, cancel the coverage of subscribers of the political subdivision. If the cancellation of coverage is for nonpayment, the political subdivision shall provide all subscribers health insurance coverage under plans which are the actuarial equivalent of plans offered by the commission in the preceding year until there is an agreement with the public employee committee providing for replacement coverage.

The commission may charge the political subdivision an administrative fee, which shall not be more than 1 per cent of the cost of total premiums for the political subdivision, to be determined by the commission which shall be considered as part of the cost of coverage to determine the contributions of the political subdivision and its employees to the cost of health insurance coverage by the commission.

(f) If there is a withdrawal from the commission under this section, all retirees, their spouses and dependents insured or eligible to be insured by the political subdivision, if enrolled in Medicare part A at no cost to the retiree, spouse or dependents, shall be required to be insured by a Medicare extension plan offered by the political subdivision under section 11C or section 16. A retiree shall provide the political subdivision, in such form as the political subdivision shall prescribe, such information as is necessary to transfer to a Medicare extension plan. If a retiree does not submit the information required, the retiree shall no longer be eligible for the retiree's existing health insurance coverage. The political subdivision may from time to time request from a retiree, a retiree's spouse and dependents, proof certified by the federal government of the retiree's eligibility or ineligibility for Medicare part A and part B coverage. The political subdivision shall pay the Medicare part B premium penalty assessed by the federal



1009 government on those retirees, spouses and dependents as a result of enrollment in  
1010 Medicare part B at the time of transfer into the Medicare health benefits supplement plan.

1011 (g) The decision to implement this section shall not be subject to collective bargaining  
1012 pursuant to chapter 150E or section 19.

1013 (h) Nothing in this section shall relieve a political subdivision from providing health  
1014 insurance coverage to a subscriber to whom it has an obligation to provide coverage  
1015 under any other provision of this chapter or change eligibility standards for health  
1016 insurance under the definition of “employee” in section 2.

1017 Section 24. An appropriate public authority of a political subdivision which has  
1018 undertaken to provide health insurance coverage to its subscribers under this chapter may  
1019 provide health care flexible spending accounts to allow certain subscribers, as determined  
1020 by the appropriate public authority, to set aside a portion of earnings to pay for qualified  
1021 expenses which may include, but shall not be limited to, out-of-pocket costs such as  
1022 inpatient and outpatient copayments, calendar year deductibles, office visit copayments  
1023 and prescription drug copayments.

1024 Section 25. Notwithstanding any general or special law or regulation to the contrary, the  
1025 appropriate public authority of a political subdivision which has undertaken to provide  
1026 health insurance coverage to its subscribers under this chapter or transfer its subscribers  
1027 to the commission under this chapter may provide health reimbursement arrangements to  
1028 reimburse subscribers for qualified medical expenses which may include, but shall not be  
1029 limited to, out-of-pocket costs such as inpatient and outpatient copayments, calendar year  
1030 deductibles, office visit copayments and prescription drug copayments.

1031 Section 26. An appropriate public authority of a political subdivision which has  
1032 undertaken to provide health insurance coverage to its subscribers under this chapter shall  
1033 conduct an enrollment audit not less than once every 2 years. The audit shall be  
1034 completed in order to ensure that members are appropriately eligible for coverage.

1035 Section 27. An insurance carrier, third party purchasing group or administrator or the  
1036 commission in the case of a governmental unit, which has undertaken to provide health  
1037 insurance coverage to its subscribers by acceptance of sections 19 or 23, shall, upon  
1038 written request, provide the governmental unit or public employee committee with its  
1039 historical claims data within 45 days of such request; provided, that all personally  
1040 identifying information within such claims shall be redacted and released in a form and  
1041 manner compliant with all applicable state and federal privacy statutes and regulations  
1042 including, but not limited to, the federal Health Insurance Portability and Accountability  
1043 Act of 1996.

1044 Section 28. Nothing in section 21, 22 or 23 shall be construed to prevent 2 or more  
1045 governmental units under a joint purchase or trust agreement from jointly negotiating and  
1046 purchasing coverage as authorized in section 12.

1047 Section 29. Each fiscal year, the commission shall prepare and place on its website a  
1048 report delineating the dollar amount of the copayments, deductibles, tiered provider  
1049 network co-payments and other design features offered by the commission in the non-  
1050 Medicare plan with the largest subscriber enrollment and the dollar amount of the  
1051 copayments, deductibles, tiered provider network copayments and other design features  
1052 offered by the commission in the Medicare extension plan with the largest subscriber  
1053 enrollment. The commission shall also provide information on its plans with the largest  
1054 subscriber enrollment upon request of any appropriate public authority or political  
1055 subdivision.

1056 SECTION 59. Section 32 of chapter 59 of the General Laws, as amended by section 46 of  
1057 chapter 188 of the acts of 2010, is hereby further amended by adding the following  
1058 sentence:- Nothing in this section shall prevent a person who submitted that information,  
1059 or his designated representative, from inspecting or being provided a copy of the  
1060 submission upon request.

1061 SECTION 60. Section 52B of said chapter 59, as appearing in the 2008 Official Edition,  
1062 is hereby amended by adding the following sentence:- Nothing in this section shall  
1063 prevent a person who submitted that information, or his designated representative, from  
1064 inspecting or being provided a copy of the submission upon request.

1065 SECTION 61. Section 60 of said chapter 59, as so appearing, is hereby amended by  
1066 inserting, after the word “duties” in line 32 the following words:- ; provided, however,  
1067 that nothing in this section shall prevent a person who submitted that information, or his  
1068 designated representative, from inspecting or being provided a copy of the submission  
1069 upon request.

1070 SECTION 62. Paragraph (a) of Part B of section 3 of chapter 62 of the General Laws, as  
1071 so appearing, is hereby amended by adding the following subparagraph:-

1072 (16) In the case of an individual who donates an organ to another person for human organ  
1073 transplantation, the individual may claim an amount equal to the following expenses that  
1074 are incurred by the individual and related to the individual’s organ donation: (i) travel  
1075 expenses; (ii) lodging expenses; and (iii) lost wages not to exceed \$10,000. For the  
1076 purposes of this subparagraph, “human organ” shall mean all or part of human bone  
1077 marrow, liver, pancreas, kidney, intestine or lung. An individual who is a nonresident for  
1078 all or part of the taxable year shall not be eligible to claim this deduction.

1079 SECTION 63. Section 6 of said chapter 62 is hereby amended by striking out, in line  
1080 495, as so appearing, the words “in subsection (n)” and inserting in place thereof the  
1081 following words:- subsections (n) and (r).

1082 SECTION 64. Paragraph (2) of subsection (o) of said section 6 of said chapter 62 as so  
1083 appearing, is hereby amended by adding the following sentence:- Said regulations shall  
1084 provide that when the board of food and agriculture, established pursuant to section 1 of  
1085 chapter 20, determines that an error has been made in calculating the trigger price or in  
1086 reporting or collecting data used in the calculation of the trigger price or the tax credit,

1087 the commissioner shall recalculate, with or without amendments, the trigger price or tax  
1088 credit.

1089  
1090 SECTION 65. Said section 6 of said chapter 62, as most recently amended by section 37  
1091 of chapter 454 of the acts of 2010, is hereby further amended by adding the following  
1092 subsection:-

1093 (r)(1) A taxpayer, to the extent authorized by the life sciences tax incentive program  
1094 established in section 5 of chapter 23I, may be allowed a refundable jobs credit against  
1095 the tax liability imposed under this chapter in an amount determined by the  
1096 Massachusetts Life Sciences Center in consultation with the department.

1097 (2) A taxpayer taking a credit under this subsection shall commit to the creation of a  
1098 minimum of 50 net new permanent full-time positions in the commonwealth.

1099 (3) A credit allowed under this subsection shall reduce the liability of the taxpayer under  
1100 this chapter for the taxable year. If a credit claimed under this subsection by a taxpayer  
1101 exceeds the taxpayer's liability as otherwise determined under this chapter for the taxable  
1102 year, 90 per cent of such excess credit, to the extent authorized by the life sciences tax  
1103 incentive program shall be refundable to the taxpayer. Excess credit amounts shall not be  
1104 carried forward to other taxable years.

1105 (4) The department shall issue the refundable portion of the jobs credit without further  
1106 appropriation and in accordance with the cumulative amount, including the current year  
1107 costs of incentives allowed in previous years, which shall not exceed \$25,000,000  
1108 annually as set forth in subsection (d) of said section 5 of said chapter 23I.

1109 SECTION 66. Section 32 of chapter 62C of the General Laws, as most recently amended  
1110 by section 45 of chapter 131 of the acts of 2010, is hereby further amended by adding the  
1111 following subsection:-

1112 (f) In the event of a deficiency assessment issued by the department after an audit of a  
1113 return filed by a taxpayer for a tax period, where the length of the audit exceeded 18  
1114 months as measured from the department's opening conference with the taxpayer or the  
1115 taxpayer's duly authorized representative to discuss a field audit or, in the case of a desk  
1116 audit from its initial letter or other written communication to the taxpayer notifying the  
1117 taxpayer that a desk audit has been initiated, to its issuance of a notice of intent to assess  
1118 tax, the department shall determine the interest payable with respect to such deficiency  
1119 after the expiration of such 18 month period and before the department's issuance of such  
1120 notice of intent to assess, by reducing the rate provided in subsection (a) by 2 percentage  
1121 points, but not below zero, or, in the case of an audit whose length as so determined  
1122 exceeds 36 months, by reducing the rate provided in subsection (a) with respect to such  
1123 period after the expiration of 18 months and before the department's issuance of the  
1124 notice of intent to assess by 2.5 percentage points, but not below zero, if in either instance  
1125 it determines that the taxpayer complied with all requests for information or  
1126 documentation made during the audit period with substantial promptness and  
1127 completeness, and where the taxpayer is not otherwise responsible for the extended

1128 duration of the audit. A taxpayer may appeal a department determination that the  
1129 taxpayer did not comply with an audit request for information or documentation with  
1130 substantial promptness and completeness to the appellate tax board along with any  
1131 assessed tax in dispute.

1132 SECTION 67. Section 36 of said chapter 62C, as appearing in the 2008 Official Edition,  
1133 is hereby amended by striking out the third paragraph and inserting in place thereof the  
1134 following paragraph:-

1135 A request for a refund or credit of an overpayment of any tax where a required return has  
1136 not been timely filed, shall be made by filing the overdue return within 3 years from the  
1137 due date of the return, taking into account any extension of time for filing the return, or  
1138 within 2 years of the date that the tax was paid, whichever is later. A request for a refund  
1139 or credit of an overpayment of any tax where no return is required shall be made by the  
1140 taxpayer within 2 years from the time the tax was paid. A request for a refund or credit of  
1141 an overpayment of tax where the required return was timely filed shall be made within  
1142 the period permitted for abatement for that return under section 37. Any request for a  
1143 refund or credit filed beyond these deadlines shall be denied by the commissioner. Where  
1144 a refund or credit results from an abatement under section 37, the amount of such refund  
1145 or credit shall be limited to the amount paid, or deemed paid pursuant to section 79,  
1146 within 3 years of the date that the application for abatement is filed, taking into account  
1147 any extension of time for filing the return. This section shall not limit refunds or credits  
1148 otherwise allowed pursuant to section 30 or 30A.

1149 SECTION 68. Section 37 of said chapter 62C is hereby further amended by striking out  
1150 the first paragraph, as so appearing, and inserting in place thereof the following  
1151 paragraph:-

1152 Any person aggrieved by the assessment of a tax, other than a tax assessed under chapter  
1153 65 or 65A, may apply in writing to the commissioner, on a form approved by the  
1154 commissioner, for an abatement thereof at any time: (1) within 3 years from the date of  
1155 filing of the return, taking into account paragraph (a) of section 79; (2) within 2 years  
1156 from the date the tax was assessed or deemed to be assessed; or (3) within 1 year from the  
1157 date that the tax was paid, whichever is later; provided, however, that where the  
1158 commissioner and the taxpayer have agreed to extend the period for assessment of a tax  
1159 pursuant to section 27, the period for abatement or for abating such tax shall not expire  
1160 prior to the expiration period within which an assessment may be made pursuant to such  
1161 agreement or any extension thereof; and provided further that any abatement that would  
1162 result in a refund of tax, including a credit of such refund against another liability, is  
1163 subject to section 36 to the extent of such refund or credit.

1164 SECTION 69. Subsection (b) of section 38Z of chapter 63 of the General Laws, as so  
1165 appearing, is hereby amended by adding the following sentence:- The regulations shall  
1166 provide that when the board of food and agriculture, established pursuant to section 1 of  
1167 chapter 20, determines that an error has been made in calculating the trigger price or in  
1168 reporting or collecting data used in the calculation of the trigger price or the tax credit,

1169 the commissioner shall recalculate, with or without amendments, the trigger price or tax  
1170 credit.

1171 SECTION 70. Said chapter 63 is hereby further amended by inserting after section 38BB  
1172 the following section:-

1173 Section 38CC. (a) A taxpayer, to the extent authorized by the life sciences tax incentive  
1174 program established in section 5 of chapter 23I, may be allowed a refundable jobs credit  
1175 against the tax liability imposed under this chapter in an amount determined by the  
1176 Massachusetts Life Sciences Center in consultation with the department.

1177 (b) A taxpayer taking a credit under this section shall commit to the creation of a  
1178 minimum of 50 net new permanent full-time positions in the commonwealth.

1179 (c) A credit allowed under this section shall reduce the liability of the taxpayer under this  
1180 chapter for the taxable year. If a credit claimed under this section by a taxpayer exceeds  
1181 the taxpayer's liability as otherwise determined under this chapter for the taxable year, 90  
1182 per cent of such excess credit, to the extent authorized pursuant to the life sciences tax  
1183 incentive program, shall be refundable to the taxpayer. Excess credit amounts shall not  
1184 be carried forward to other taxable years.

1185 (d) The department shall issue the refundable portion of the jobs credit without further  
1186 appropriation and in accordance with the cumulative amount, including the current year  
1187 costs of incentives allowed in previous years, which shall not exceed \$25,000,000  
1188 annually as set forth in subsection (d) of said section 5 of said chapter 23I.

1189 SECTION 71. Section 30 of chapter 64C of the General Laws, as appearing in the 2008  
1190 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in  
1191 place thereof the following paragraph:-

1192 A stamper who has complied with this chapter and, to the extent applicable, section 3A of  
1193 chapter 64H and chapter 94F, including the rules and regulations promulgated  
1194 thereunder, may withhold and retain from each payment to be made by that stamper for  
1195 such stamps as compensation for service rendered in compliance with this chapter and, to  
1196 the extent applicable, said section 3A of said chapter 64H and said chapter 94F the  
1197 following amounts:(1) for encrypted stamps purchased and not returned for an  
1198 abatement,\$12 per roll of 1,200 stamps; and (2) in each fiscal year, \$600 per roll of  
1199 30,000 encrypted stamps for the first 50 rolls purchased and \$200 per each additional roll  
1200 of 30,000 encrypted stamps purchased; and (3) in the case of non-encrypted adhesive  
1201 stamps purchased and not returned for an abatement, \$1.85 for each 600 stamps  
1202 purchased and a proportionate amount for any fraction thereof.

1203 SECTION 72. Section 6 of chapter 64H of the General Laws is hereby amended by  
1204 inserting after the words "machines", in line 184, as so appearing, the following words:- ,  
1205 physician-prescribed, medically necessary breast pumps.

1206 SECTION 73. Section 91 of chapter 71 of the General Laws, as amended by section 52 of  
1207 chapter 131 of the acts of 2010, is hereby further amended by adding the following  
1208 subsection:-

1209 (e) Failure by a school district to transfer funds to a Recovery High School as required in  
1210 subsection (b) shall result in a deduction of the amount therein from the home school  
1211 district's chapter 70 per pupil allotment for the following fiscal year.

1212  
1213 SECTION 74. Section 92 of said chapter 71, inserted by section 8 of chapter 12 of the  
1214 acts of 2010, is hereby amended by adding the following 2 subsections:-

1215  
1216 (q) A school committee operating an Innovation School that is a virtual public school  
1217 may vote to allow students who do not reside in the district to enroll in the virtual public  
1218 school pursuant to section 12B of chapter 76; provided, however, that the vote and policy  
1219 is consistent with department of elementary and secondary education regulations  
1220 governing enrollment at such schools; provided further, that any student enrolled in a  
1221 virtual public school shall have no right to attend any other school operated by that  
1222 school committee. Notwithstanding subsection (b), an Innovation School that is a virtual  
1223 public school may receive each school year from the school committee less than the same  
1224 per pupil allocation as any other district school receives.

1225  
1226 (r) Failure by a school district to transfer funds to an Innovation School, as required in  
1227 subsection (b) shall result in a deduction of the amount therein from the home school  
1228 district's chapter 70 per pupil allotment for the following fiscal year.

1229 SECTION 75. Section 19C of chapter 78 of the General Laws is hereby amended by  
1230 striking out, in lines 34 and 35, as appearing in the 2008 Official Edition, the words "last  
1231 recourse for reference and research services for the commonwealth" and inserting in  
1232 place thereof the following words:- the commonwealth for reference and research  
1233 services.

1234 SECTION 76. Section 34O of chapter 90 of the General Laws, as so appearing, is hereby  
1235 amended by striking out, in line 120, the words "one hundred and eighty-three of chapter  
1236 six" and inserting in place thereof the following words:- 57A of chapter 6C.

1237 SECTION 77. Chapter 91 of the General Laws is hereby amended by inserting after  
1238 section 18B the following section:-

1239 Section 18C. (a) Notwithstanding any general or special law to the contrary, the  
1240 department may issue a general license authorizing noncommercial small-scale docks,  
1241 piers and similar structures that are accessory to a residential use, but not marinas or  
1242 large-scale docks, piers or similar structures, in tidelands, great ponds, rivers and streams,  
1243 otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19.  
1244 Projects that extend beyond harbor lines or are within areas of critical environmental  
1245 concern to the commonwealth shall not be eligible for a general license under this  
1246 section. The department may consider the cumulative impacts of docks, piers and similar  
1247 structures in a geographic area in determining whether a project is appropriate for

1248 coverage under a general license. The licensee shall comply with all general license  
1249 performance standards to be issued as regulations by the department and any additional  
1250 concerns specified by the department pursuant to the general license. A proponent of a  
1251 project eligible for a general license under this section shall certify compliance with its  
1252 terms and conditions to the department and shall pay all applicable fees required by this  
1253 chapter before beginning construction. The department shall perform annual audits to  
1254 monitor compliance with the general license requirements of this section.

1255 (b) The first 2 paragraphs of section 18 shall not apply to projects subject to a general  
1256 license; provided, however, that upon or prior to applying for a license pursuant to this  
1257 section, the project proponent shall submit to the planning board of the city or town  
1258 where the work is to be performed a statement of the proposed use, the location,  
1259 dimensions and limits and mode of work to be performed. The planning board may,  
1260 within 45 days after receipt of the statement, submit a written opinion to the department  
1261 that the project does not comply with the general license standards set forth in this section  
1262 and recommend that the project be subject to individual licensing, as applicable, under  
1263 said sections 12, 12A, 13, 14, 18 and 19. The department shall not issue a general license  
1264 under this section if a planning board recommends that the project be subject to  
1265 individual licensing. The department may issue a general license after the expiration of  
1266 45 days without local planning board comment or upon receiving notification from the  
1267 local planning board that it does not oppose the project's eligibility for a general license.

1268 (c) The first sentence of the third paragraph of said section 18 shall not apply to projects  
1269 subject to a general license; provided, however, that the project proponent shall specify  
1270 by metes, bounds and otherwise the location, dimensions and limits and mode of  
1271 performing the work in its certification to the department.

1272 (d) The second sentence of said third paragraph of said section 18 shall not apply to a  
1273 project subject to a general license; provided, however, that any changes in use or  
1274 structural alteration of a licensed structure or fill, whether the structure or fill first was  
1275 licensed before, on or after the effective date of this section, shall require a new  
1276 certification to the department and submission to the planning board in accordance with  
1277 subsection (b) for projects eligible for a general license, or a license for structures which  
1278 are ineligible for the general license, in accordance with the provisions and procedures  
1279 established in this chapter and the general license.

1280 (e) The sixth paragraph of said section 18 shall not apply to a project subject to a general  
1281 license; provided, however, that upon or prior to applying for a general license under this  
1282 section, the project proponent shall give notice to the selectmen of the town or the mayor  
1283 of the city and the conservation commission of the town or city where the work is to be  
1284 performed and shall publish, at the expense of the proponent, the notice at the same time  
1285 in a newspaper or newspapers having a circulation in the area affected by the project.

1286 (f) The seventh and eighth paragraphs of said section 18, regarding public and  
1287 adjudicatory hearings, shall not apply to a project subject to a general license.

1288 (g) The ninth paragraph of said section 18 regarding recordation shall not apply to a  
1289 project subject to a general license; provided, however, that the project proponent shall  
1290 submit a plan of the work or structure to the department in its certification. The general  
1291 license for these projects shall be void unless, within 60 days after certification, the  
1292 certification and the accompanying plan are recorded in the registry of deeds for the  
1293 county or district wherein the work is to be performed. Work or change in use shall not  
1294 commence until the certification is recorded and the department has received notification  
1295 of the recordation.

1296 (h) The tenth paragraph of said section 18 regarding zoning approval shall not apply to a  
1297 project subject to a general license; provided, however, that the project proponent shall  
1298 submit a certification by the clerk of the affected cities or towns that the work to be  
1299 performed or change in use is not in violation of local zoning ordinances and by-laws, in  
1300 its certification to the department.

1301 (i) The eleventh paragraph of said section 18, regarding assessments for tidewater  
1302 displacement and occupation of commonwealth tidelands, shall not apply to projects  
1303 subject to a general license; provided, however, that these assessments shall be paid by  
1304 the project proponent in its certification to the department.

1305 (j) Section 20 shall not apply to projects subject to a general license; provided, however,  
1306 that the project proponent shall submit to the department plans of any proposed work to  
1307 be performed and a copy of any legislative grant in its certification to the department.

1308 (k) The department shall adopt regulations to implement this section. The regulations  
1309 shall protect and preserve any rights held by the commonwealth in trust for the public to  
1310 use tidelands, great ponds and other waterways for lawful purposes and public rights of  
1311 access on private tidelands, great ponds and other waterways for any lawful use.

1312 SECTION 78. Sections 1A and 1B of chapter 92 of the General Laws are hereby  
1313 repealed.

1314 SECTION 79. Section 33 of said chapter 92, as appearing in the 2008 Official Edition, is  
1315 hereby amended by striking out, in line 1, the word "urban" and inserting in place thereof  
1316 the following word:- state.

1317 SECTION 80. Section 34 of said chapter 92, as so appearing, is hereby amended by  
1318 striking out, in line 8, the words "Urban Parks" and inserting in place thereof the  
1319 following words:- State Parks and Recreation.

1320 SECTION 81. Chapter 111 of the General Laws is hereby amended by striking out  
1321 section 25I, as appearing in the 2008 Official Edition, and inserting in place thereof the  
1322 following section:-

1323  
1324 Section 25I. The department, in conjunction with the board of registration in pharmacy  
1325 and the division of medical assistance, shall establish and implement guidelines to reduce  
1326 medication waste in facilities licensed by the department, the department of mental health



and the department of corrections. The department shall establish such guidelines, based on its review, that are determined to be effective in reducing waste without imposing unreasonable costs on the health care delivery system. In establishing such guidelines the department may consider the following: (i) current technology, standards and reimbursement mechanisms for dispensing and distributing medications to facilities; (ii) requirements implemented in other states for limiting prescription drug waste and any cost-savings realized; (iii) the commonwealth's standards for the return and re-dispensing of patient-specific schedule VI prescription drugs; and (iv) possible incentive mechanisms to prevent prescription drug waste. The department shall promulgate regulations to implement this section.

SECTION 82. The fifth paragraph of section 70E of said chapter 111, as appearing in the 2008 Official Edition, is hereby amended by adding the following clause:-

(p) to obtain from the facility in charge of the patient's care, upon discharge, any bulk medications that were prescribed for the patient during the patient's stay including, but not limited to, aerosol inhalers, topical products such as creams and powders, eye drops, insulin and special order items; provided, however, these bulk medications are patient-specific and personal and would not otherwise be used in the treatment of another patient. Upon discharge from the hospital, these bulk medications shall be considered the personal property of the patient and the prescribing physician shall include in the patient's discharge orders directions for use of these bulk medications.

The department shall promulgate regulations to implement this clause.

SECTION 83. Section 150A of said chapter 111 is hereby amended by inserting after the fourth paragraph, as so appearing, the following paragraph:-

Within 60 days of receipt of the application, the department shall issue a report stating whether the proposed site meets the criteria established under section 150A1/2 for the protection of the public health and safety and the environment. Any such reports shall be made available to the public in a timely manner prior to any public hearing concerning the site application.

SECTION 84. Said section 150A of said chapter 111 is hereby further amended by striking out the words "60 days of receipt of said application", inserted by section 64 of chapter 131 of the acts of 2010, and inserting in place thereof the following words:- 30 days of the receipt of the department's report.

SECTION 85. Said section 150A of said chapter 111 is hereby further amended by striking out the words "local board of health", inserted by section 65 of said chapter 131, and inserting in place thereof the following words:- department's report.

SECTION 86. Said section 150A of said chapter 111 is hereby amended by striking out the ninth and tenth paragraphs, inserted by section 66 of said chapter 131, and inserting in place thereof the following 2 paragraphs:-

1367 No facility shall be established, constructed, expanded, maintained, operated or devoted  
1368 to any past closure as defined by regulation unless detailed operating plans,  
1369 specifications, any public health reports and necessary environmental reports have been  
1370 submitted to the department, the department has granted a permit for the facility and  
1371 notice of the permit is recorded in the registry of deeds, or if the land affected thereby is  
1372 registered land in the registry section of the land court for the district wherein the land  
1373 lies. Within 120 days after the department is satisfied that the operating plans,  
1374 specifications and reports are complete, the department shall make a decision granting or  
1375 refusing to grant a permit. The permit may limit or prohibit the disposal of particular  
1376 types of solid waste at a facility in order to protect the public health, promote reuse, waste  
1377 reduction and recycling, extend the useful life of the facility, or reduce its environmental  
1378 impact.

1379 Every decision by the department granting or refusing to grant a permit shall be in  
1380 writing and shall contain findings with regard to criteria established by the department.  
1381 Any person aggrieved by the action of the department in granting or refusing to grant a  
1382 permit may appeal that decision under section 14 of chapter 30A. For the limited  
1383 purposes of any such appeal, the department action shall be deemed to be a final decision  
1384 in an adjudicatory proceeding.

1385 SECTION 87. Subsection (e) of section 9D of chapter 118E of the General Laws, as  
1386 appearing in the 2008 Official Edition, is hereby amended by inserting after paragraph (3)  
1387 the following paragraph:-

1388 (3A) The division shall provide to each beneficiary age 65 and over an annual notice of  
1389 options available for enrollment in voluntary programs including Program of All  
1390 Inclusive Care for the Elderly plans, MassHealth Senior Care Options, Frail Elder Home  
1391 and Community Based Waiver Program and any other voluntary elected benefit to which  
1392 the beneficiary is entitled to supplement or replace such beneficiary's MassHealth  
1393 benefits. Upon approval from the federal Centers for Medicare and Medicaid Services,  
1394 the division shall include in such annual notice the names and contact information for the  
1395 program providers, general contact information for the division and a general description  
1396 of the benefits of joining particular programs. The notice shall be written in clear and  
1397 simple language and shall include instructions for requesting a copy of such notice in a  
1398 language other than English. The notice shall include a method for the beneficiary to  
1399 request from the division additional information on any program described in the notice.  
1400 Before the content and format of the annual notice is finalized, the division shall forward  
1401 the proposed draft for review and comment to the program providers. The division shall  
1402 work with the program providers and other appropriate stakeholders to assess whether,  
1403 and to what extent, barriers to program enrollment shall be alleviated through  
1404 modifications to the program or the enrollment process. The division may charge the  
1405 program providers for the costs associated with provision of the annual notice.

1406 SECTION 88. Section 25 of said chapter 118E, as so appearing, is hereby amended by  
1407 striking out, in lines 73, 75 and 79, the figure "\$3" and inserting in place thereof, in each  
1408 instance, the following figure:- \$5.

1409 SECTION 89. Section 36 of chapter 118G of the General Laws is hereby amended by  
1410 inserting after the word “that”, in line 27, as so appearing, the following words:- not more  
1411 than.

1412 SECTION 90. Subsection (b) of section 6 of chapter 118H of the General Laws, as so  
1413 appearing, is hereby amended by striking out the first sentence and inserting in place  
1414 thereof the following sentence:- Enrollees with a household income that does not exceed  
1415 100 per cent of the federal poverty level shall only be responsible for copayments equal  
1416 to those required of enrollees in the MassHealth program.

1417  
1418 SECTION 91. The last paragraph of section 33B of chapter 119 of the General Laws, as  
1419 so appearing, is hereby amended by adding the following 2 sentences:—

1420  
1421 All state agencies that use the assessment for safe and appropriate placement instrument  
1422 shall: (i) consult with relevant experts to revise the instrument based on evidence-based  
1423 practice; (ii) create a process for keeping the instrument current with evolving best  
1424 practice standards; and (iii) ensure that all relevant staff are informed about the  
1425 instrument and have appropriate training in how to make referrals and incorporate results  
1426 from the instrument into their case management and treatment planning. The  
1427 Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters Coalition  
1428 shall provide training staff in partnership with the department on the revised and updated  
1429 assessment for safe and appropriate placement instrument.

1430 SECTION 92. Section 11 of chapter 131 of the General Laws is hereby further amended  
1431 by inserting after the word “blind”, in line 38, as so appearing, the following words:- ,  
1432 under the age of 18.

1433 SECTION 93. Section 129B of chapter 140 of the General Laws is hereby amended by  
1434 inserting after clause (9B), as so appearing, the following clause:-

1435 (9C) Except as provided in clause (9B), the fee for an application for a firearm  
1436 identification card for any person under the age of 18 shall be \$25, which shall be  
1437 payable to the licensing authority and shall not be prorated or refunded in the case of  
1438 revocation or denial. The licensing authority shall retain 50 per cent of the fee and the  
1439 remaining portion shall be deposited into the General Fund. Notwithstanding any general  
1440 or special law to the contrary, licensing authorities shall deposit quarterly that portion of  
1441 the firearm identification card application fee which is to be deposited into the General  
1442 Fund, not later than January 1, April 1, July 1 and October 1 of each year.

1443 SECTION 94. Section 64 of chapter 143 of the General Laws, as so appearing, is hereby  
1444 amended by striking out the third sentence.

1445  
1446 SECTION 95. Section 65 of said chapter 143, as so appearing, is hereby amended by  
1447 adding the following 2 paragraphs:-

1448 No elevator licensed under this chapter shall be operated without a valid inspection  
1449 certificate. If a certificate has expired, no new certificate shall be issued until a new

1450 inspection has been completed and no elevator shall be operated until a new certificate  
1451 has been issued by a qualified state inspector. The owner or operator of an elevator who  
1452 fails to comply with this section shall be punished by a fine of \$1,000 for each day that an  
1453 elevator is in operation without a valid certificate. The commissioner or the  
1454 commissioner's designee, and such other person as may be specifically authorized, may  
1455 issue a written notice of violation under section 21 of chapter 22 for a violation of this  
1456 section.

1457 An owner or operator of an elevator shall not be assessed a fine for having violated this  
1458 section if: (i) 30 days prior to the expiration of a certificate, the owner or operator has, in  
1459 writing or in any manner prescribed by the department, requested an inspection of the  
1460 elevator by the department and an inspection was not completed within the 30-day  
1461 period; and (ii) the elevator was not determined to be unsafe at any time during the 30-  
1462 day period, notwithstanding that the results of an inspection were rendered beyond such  
1463 30-day period.

1464 SECTION 96. Section 1 of chapter 146 of the General Laws, as so appearing, is hereby  
1465 amended by inserting after the definition of "Department" the following definition:-  
1466 "District engineering inspector", an inspector of the division.

1467 SECTION 97. Section 18 of said chapter 146, as so appearing, is hereby amended by  
1468 striking out, in line 3, the words "on blanks approved by the chief" and inserting in place  
1469 thereof the following words:- in a standard format that has been authorized and approved  
1470 by the department.

1471 SECTION 98. Said chapter 146 is hereby further amended by striking out section 23, as  
1472 so appearing, and inserting in place thereof the following section:-

1473 Section 23. If upon inspection the district engineering inspector finds the boiler to be in  
1474 safe working order with the fittings necessary to safely and properly set up the boiler and  
1475 its appurtenances conform to the rules of the board, the department shall issue to the  
1476 owner or user thereof a certificate of inspection stating the maximum pressure at which  
1477 the boiler may be operated, as ascertained by the rules of the board, and thereupon such  
1478 owner or user may operate the boiler mentioned in the certificate. If the district  
1479 engineering inspector finds otherwise, the department shall withhold the certificate until  
1480 the boiler and its fittings are put in a condition to ensure safety of operation and to ensure  
1481 that the boiler and its appurtenances conform to the rules of the board and the owner or  
1482 user shall not operate such boiler, or cause it to be operated, until such certificate has  
1483 been granted.

1484 SECTION 99. Said chapter 146 is hereby further amended by striking out section 25, as  
1485 so appearing, and inserting in place thereof the following section:-

1486 Section 25. Insurance companies shall, after each internal and external inspection, if the  
1487 boiler and its appurtenances conform to the rules of the board and if they deem the boiler  
1488 to be in safe working condition otherwise, submit such information to the department.  
1489 The department shall, upon receipt of the required fee, issue a certificate of inspection

1490 stating the maximum pressure at which the boiler may be operated as ascertained by the  
1491 rules of the board.

1492 SECTION 100. Section 34 of said chapter 146, as so appearing, is hereby amended by  
1493 striking out the first sentence and inserting in place thereof the following sentence:- No  
1494 person shall install or use, or cause to be installed or used, any tank or other receptacle  
1495 for the storing of compressed air at any pressure exceeding 50 pounds per square inch,  
1496 except when attached to locomotives or street or railway cars or trackless trolley vehicles,  
1497 or to motor vehicles for use in operating such vehicles or their brakes or body-lifting  
1498 apparatus unless the owner or user of such tank or other receptacle holds a certificate of  
1499 inspection issued by the department, certifying that the tank or other receptacle has been  
1500 duly inspected within the preceding 2 years, or unless the owner or user holds a policy of  
1501 insurance upon the tank or other receptacle issued by an insurance company authorized to  
1502 insure air tanks within the commonwealth, together with a certificate of inspection from  
1503 the department.

1504 SECTION 101. Section 71 of said chapter 146, as so appearing, is hereby amended by  
1505 striking out the second paragraph, and inserting in place thereof the following paragraph:-

1506 When the inspection of a boiler covered by section 70 is completed and the district  
1507 engineering inspector finds the boiler to be in safe working order, with the fittings  
1508 necessary to safely and properly set up and the boiler and any appurtenances conform to  
1509 the rules of the board and sections 1, 4 or 8 of the ASME Code, the department shall  
1510 issue to the owner or user thereof a certificate of inspection. The certificate shall state the  
1511 maximum pressure at which the boiler may be operated and thereupon the owner or user  
1512 of the boiler may operate the boiler as stated in the certificate. If the district engineering  
1513 inspector finds otherwise, the department shall withhold the certificate until the boiler  
1514 and its appurtenances are put in a condition to ensure safety of operation and to ensure  
1515 that the boiler conforms to the rules of the board and said sections 1, 4 or 8 of the ASME  
1516 Code. If the insurance inspector finds the boiler or pressure vessel to be in safe working  
1517 order, as above, the insurance inspector shall submit such information to the department  
1518 and the department shall, upon receipt of the required fee, issue a certificate of  
1519 inspection. If the insurance inspector finds otherwise, the insurance inspector shall  
1520 submit such information and report such findings to the department on the approved  
1521 format. The department shall withhold a certificate until the boiler or pressure vessel  
1522 passes inspection. The owner of any such boiler shall not operate nor cause to be  
1523 operated any such boiler until a certificate has been issued.

1524 SECTION 102. Said chapter 146 is hereby further amended by striking out section 76, as  
1525 so appearing, and inserting in place thereof the following section:-

1526 Section 76. No person shall act as an inspector of boilers for an insurance company  
1527 unless such person holds a certificate of competency under section 62.

1528 SECTION 103. Section 79 of said chapter 146, as so appearing, is hereby amended by  
1529 striking out the first sentence and inserting in place thereof the following 2 sentences:-  
1530 The certificate of inspection issued by the department shall state the name of the owner

1531 and that of the user, if different from the owner, the location of the boiler, the number of  
1532 the boiler, the date of inspection, the maximum pressure at which the boiler may be  
1533 operated and the signature of the inspector who made the inspection. The certificate shall  
1534 also contain such extracts from the General Laws as shall be deemed necessary by the  
1535 board.

1536 SECTION 104. Said chapter 146 is hereby further amended by adding the following  
1537 section:-

1538 Section 90. The owner or user of a boiler or air tank or other receptacle inspected by an  
1539 inspector shall pay a fee to be determined annually by the secretary of administration and  
1540 finance pursuant to section 3B of chapter 7 for the issuance of a certificate of inspection  
1541 by the department.

1542 SECTION 105. Section 113B of chapter 175 of the General Laws is hereby amended by  
1543 striking out, in lines 160 and 178, as appearing in the 2008 Official Edition, the words  
1544 "183 of chapter 6" and inserting in place thereof, in each instance, the following words:-  
1545 57A of chapter 6C.

1546 SECTION 106. Said chapter 175 is hereby further amended by striking out section 168,  
1547 as most recently amended by section 154 of chapter 240 of the acts of 2010, and inserting  
1548 in place thereof the following section:-

1549 Section 168. (a) As used in this section the following words shall, unless the context  
1550 clearly requires otherwise, have the following meanings:-

1551 "Home state", relative to an insured: (1) the state in which an insured maintains its  
1552 principal place of business or, in the case of an individual, the individual's principal  
1553 residence; or (2) if 100 per cent of the risk is located out of the state referred to in clause  
1554 (1), the state to which the greatest percentage of the insured's taxable premium for that  
1555 insurance contract is allocated.

1556 "State", any state of the United States, the District of Columbia, the commonwealth of  
1557 Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands and American  
1558 Samoa.

1559 "Unauthorized company", an insurer not licensed to engage in the business of insurance  
1560 in the commonwealth.

1561 "Unauthorized insurance", any property and casualty insurance permitted to be placed  
1562 with an unauthorized company eligible to accept such insurance.

1563 (b) The commissioner may, upon the payment of the fee prescribed by section 14, issue  
1564 to any suitable person aged 18 or older, a license to act as a special insurance broker to  
1565 negotiate, continue or renew contracts of insurance against any of the hazards specified in  
1566 section 47, except as specified in clause Fifteenth thereof, and except accident and health,  
1567 workers' compensation, compulsory motor vehicle liability and life insurance on property

1568 or interests in the commonwealth with an unauthorized company upon the following  
1569 conditions:

1570 (i) The applicant for the license shall file with the commissioner a written application as  
1571 prescribed by section 162L which shall be executed on oath by the applicant and kept on  
1572 file by the commissioner. If the commissioner is satisfied that the applicant is trustworthy  
1573 and competent, he shall issue the license, subject to suspension or revocation at the  
1574 pleasure of the commissioner. The license shall expire 1 year from the date of issuance,  
1575 unless sooner suspended or revoked.

1576 (ii) The commissioner may, in the commissioner's discretion, renew the license for each  
1577 succeeding year, upon the payment of the fee prescribed by section 14, without requiring  
1578 the detailed information specified by section 162L.

1579 (iii) Whenever the person named in such license shall procure any insurance in an  
1580 unauthorized company for an insured whose home state is the commonwealth, he shall  
1581 execute, and within 20 days thereafter, file with the commissioner an affidavit stating that  
1582 the full amount of insurance required to protect the subject property or interest of said  
1583 insured is not procurable, after a diligent effort has been made to do so, from among  
1584 companies admitted to transact insurance in the commonwealth against the hazard or  
1585 hazards involved, and that the amount of insurance procured in such unauthorized  
1586 company is only the excess over the amount so procurable from such admitted  
1587 companies. The affidavit shall have force and effect for 1 year from the date of issuance  
1588 or expiration of the policy, whichever comes later.

1589 (iv) Clause (iii) shall not apply to the procurement of a contract of insurance for an  
1590 exempt commercial risk or policyholder as described in section 224, if the commercial  
1591 risk or policyholder acknowledges in writing its understanding, that (1) the company  
1592 from which insurance is procured is not admitted to transact insurance in the  
1593 commonwealth and (2) in the event of the insolvency of the company, a loss shall not be  
1594 paid by the Massachusetts Insurers Insolvency Fund under chapter 175D.

1595 (c) Any insurance policy procured under this section shall contain the following  
1596 disclosure notice to the policyholder: This policy is insured by a company which is not  
1597 admitted to transact insurance in the commonwealth, is not supervised by the  
1598 commissioner of insurance and, in the event of an insolvency of such company, a loss  
1599 shall not be paid by the Massachusetts Insurers Insolvency Fund under chapter 175D. The  
1600 commissioner may, by regulation, amend the foregoing disclosure notice. Each licensed  
1601 special insurance broker shall maintain a copy of the acknowledgement for inspection by  
1602 the commissioner with respect to all policies of insurance so procured by the licensee for  
1603 exempt commercial risks or policyholders. Such licensed person shall not be required to  
1604 file such affidavit if such an affidavit relative to the same property or interests has been  
1605 filed within the preceding 12 months by any broker licensed under this section, nor to  
1606 offer any portion of such insurance to any company not possessed of net cash assets of at  
1607 least \$200,000, nor to one which has within the preceding 12 months been in an impaired  
1608 condition, nor shall such licensed person procure any such insurance on said property or  
1609 interests from any unauthorized company unless:

1610 (i)(A) such company is possessed of net cash assets of at least \$300,000 computed on the  
1611 basis fixed by sections 10 to 12, inclusive, and on the form prescribed by section 25; (B)  
1612 such company has satisfied the commissioner that its officers and directors are of good  
1613 repute and competent to manage an insurance company; (C) the management of the  
1614 company is carrying out its insurance contracts in good faith; (D) such company has filed  
1615 with the commissioner an examination report of the affairs of the company completed  
1616 within the previous 3 years and made by the proper supervisory official of its home state;  
1617 and (E) such company has made a deposit of not less than \$400,000 with the state  
1618 treasurer or with the proper board or officer of some other state of the United States in  
1619 accordance with the terms and conditions hereinafter specified;

1620 (ii) such company has filed a financial statement on a form satisfactory to the  
1621 commissioner and conforms to and maintains the financial requirements specified in  
1622 subparagraph (i) of paragraph (D) of subsection (1) of section 20A; or

1623 (iii) such company is an eligible alien unauthorized insurer, as defined in section 168A;  
1624 provided, however, that such deposit shall be made in exclusive trust for the benefit and  
1625 security of all its policyholders in the United States, including obligees of bonds executed  
1626 by such company as surety, and when made with the state treasurer may be made in the  
1627 securities and subject to the limitations specified in sections 63 and 66, or in cash or in  
1628 such other securities as the commissioner may approve; provided further, that bonds need  
1629 not be accepted by the state treasurer unless in registered form and of denominations  
1630 satisfactory to him, and shall not be returned to the company until it has ceased to  
1631 transact business in the commonwealth, or until the commissioner is satisfied that the  
1632 company is under no obligation to such policyholders or obligees in the United States for  
1633 whose benefit such deposit was made, or until the treasurer has given his written consent  
1634 to such return; provided further, that the commissioner may, in any case, authorize in  
1635 writing the return to the company of any excess of any deposit made under this section  
1636 over the amount required thereby, if he is satisfied that such return shall not be prejudicial  
1637 to the interests of such policyholders or obligees.

1638 (d) Each person so licensed shall keep a separate account of the business done under the  
1639 license, a certified copy of which account he shall forthwith file with the commissioner,  
1640 showing the exact amount of such insurance placed for each person whose home state is  
1641 the commonwealth, the gross premium charged thereon, the companies in which the same  
1642 is placed, the date of the policies and the term thereof, and a report in the same detail of  
1643 all such policies cancelled, with the gross return premiums thereon. Each person so  
1644 licensed shall file a sworn statement with the state treasurer every January providing the  
1645 gross premiums charged for insurance procured or placed and the gross return premiums  
1646 on such insurance cancelled under such license during the year ending on December 31  
1647 last preceding. At the time of filing such statement, each person licensed as a special  
1648 insurance broker shall pay to the commonwealth a fee, less such return premiums so  
1649 reported, as follows:

1650 (1) if the insurance covers properties, risks or exposures located or to be performed in the  
1651 commonwealth and not in any other state, an amount equal to 4 per cent of such gross  
1652 premiums;



1653 (2) if the insurance covers properties, risks or exposures located or to be performed both  
1654 in and outside of the commonwealth: (i) an amount equal to 4 per cent of such gross  
1655 premiums allocated to the commonwealth; plus (ii) an amount equal to the portion of the  
1656 premiums allocated to other states or territories on the basis of the tax rates and fees  
1657 applicable to properties, risks or exposures located or to be performed outside of the  
1658 commonwealth; and

1659 (3) to the extent that other states where portions of the insured properties, risks or  
1660 exposures are located have failed to enter into a compact or reciprocal allocation  
1661 procedure with the commonwealth, the net premium tax collected shall be retained by the  
1662 commonwealth.

1663 (e) Notwithstanding subsections (b), (c) and (d), the commissioner may enter into a  
1664 cooperative agreement, reciprocal agreement or compact with another state or states in  
1665 order to: facilitate the collection, allocation and disbursement of insurance premium fees  
1666 and taxes attributable to the placement of unauthorized insurance; provide for uniform  
1667 methods of allocation and reporting among unauthorized insurance risk classifications;  
1668 and share information among states related to unauthorized insurance premium fees and  
1669 taxes. The commissioner may also enter into other cooperative agreements with surplus  
1670 lines stamping offices and other similar entities located in other states related to the  
1671 capturing and processing of insurance premium and tax data. The commissioner may  
1672 participate in any clearinghouse established pursuant to any such agreement or  
1673 agreements for the purpose of collecting and disbursing to reciprocal states any funds  
1674 collected pursuant to clause (3) of subsection (d) applicable to properties, risks or  
1675 exposures located or to be performed outside of the commonwealth. In determining  
1676 whether to enter in to such agreements or compacts, the commissioner may consider: (i)  
1677 the efficiencies to be achieved in the reporting, payment, collection, allocation and  
1678 disbursement of insurance premium fees and taxes attributable to the placement of  
1679 unauthorized insurance; (ii) the amount of revenue to be generated through participation  
1680 in any such agreements or compacts; and (iii) any other material factor relevant to the  
1681 reporting, payment, collection, allocation or disbursement of insurance premium fees and  
1682 taxes attributable to the placement of unauthorized insurance, as determined by the  
1683 commissioner. Prior to entering into such an agreement or compact, the commissioner  
1684 shall provide public notice and an opportunity for comment thereon.

1685 (f) A person licensed under this section who negotiates, continues or renews any such  
1686 contracts of insurance in any unauthorized company and who neglects to make and file  
1687 the affidavit and statements required by this section, or who willfully makes a false  
1688 affidavit or statement, or who negotiates, continues or renews any such contracts of  
1689 insurance after the revocation or during the suspension of his license, shall forfeit his  
1690 license if not previously revoked and be punished by a fine of not less than \$100 nor  
1691 more than \$500 or by imprisonment in the house of correction for not more than 1 year,  
1692 or by both such fine and imprisonment.

1693 (g) Nothing in this section shall be deemed to amend or modify any of the provisions of,  
1694 or any of the exemptions specified in, section 160.

1695 (h) A license to act as a special insurance broker may, upon the payment of the fees  
1696 prescribed by section 14, be issued to any association, as defined in section 1 of chapter  
1697 182, for the purpose of acting as a special insurance broker, subject to the conditions  
1698 specified in section 172A. The commissioner may, upon the payment of the fees  
1699 prescribed by section 14, issue to a partnership, a license to act as a special insurance  
1700 broker subject to the conditions specified in section 173. A license to act as a special  
1701 insurance broker may, upon the payment of the fees prescribed by section 14, be issued to  
1702 any corporation, subject to the conditions specified in section 174.

1703 (i) The commissioner may promulgate regulations as necessary to implement this section.

1704 SECTION 107. Section 6 of chapter 176J of the General Laws is hereby amended by  
1705 striking subsection (c), as most recently amended by section 31A of chapter 359 of the  
1706 acts of 2010, and inserting in place thereof the following subsection:-

1707 (c) Notwithstanding any general or special law to the contrary, the commissioner may  
1708 require carriers offering small group health insurance plans, including carriers licensed  
1709 under chapters 175, 176A, 176B or 176G, to file all changes to small group product base  
1710 rates and to small group rating factors at least 90 days before their proposed effective  
1711 date. The commissioner shall disapprove any proposed changes to base rates that are  
1712 excessive, inadequate or unreasonable in relation to the benefits charged. The  
1713 commissioner shall disapprove any change to small group rating factors that is  
1714 discriminatory or not actuarially sound. The determination of the commissioner shall be  
1715 supported by sound actuarial assumptions and methods, which shall be provided in  
1716 writing to the carrier. Rate filing materials submitted for review by the division shall be  
1717 deemed confidential and exempt from the definition of public records in clause Twenty-  
1718 sixth of section 7 of chapter 4. The commissioner shall adopt regulations to carry out this  
1719 section.

1720 SECTION 108. Said section 6 of said chapter 176J is hereby further amended by striking  
1721 out subsection (f), as appearing in section 29 of chapter 288 of the acts of 2010, and  
1722 inserting in place thereof the following subsection:-

1723 (f) If the commissioner disapproves the rate submitted by a carrier the commissioner shall  
1724 notify the carrier in writing no later than 60 days prior to the proposed effective date of  
1725 the carrier's rate. If the commissioner fails to issue a written decision 60 days prior to the  
1726 proposed effective date of the rate, the carrier's proposed base rates shall be deemed  
1727 approved. If the carrier's proposed based rate has been disapproved, the carrier may  
1728 submit a request for hearing with the division of insurance within 10 days of such notice  
1729 of disapproval. The division must schedule a hearing within 10 days of receipt. The  
1730 commissioner shall issue a written decision within 30 days after the conclusion of the  
1731 hearing.

1732 SECTION 109. Said section 6 of said chapter 176J is hereby further amended by striking  
1733 out subsection (f), as amended by section 108.

1734 SECTION 110. The first sentence of subsection (a) of section 21 of chapter 176O of the  
1735 General Laws, as appearing in section 40 of chapter 288 of the acts of 2010, is hereby  
1736 amended by adding the following words:- ; provided, however, that for the purposes of  
1737 this subsection, “carrier” shall not include any entity to the extent it offers a policy,  
1738 certificate or contract that does not qualify as creditable coverage as defined in section 1  
1739 of chapter 111M.

1740 SECTION 111. The definition of “carrier” in paragraph (1) of subsection (b) of said  
1741 section 21 of said chapter 176O, as so appearing, is hereby amended by inserting, after  
1742 the words “provided, however, that” the following words:- “carrier” shall not include  
1743 any entity to the extent it offers a policy, certificate or contract that does not qualify as  
1744 creditable coverage as defined in section 1 of chapter 111M; provided, further, that.

1745 SECTION 112. Chapter 211D of the General Laws is hereby amended by striking out  
1746 sections 1 to 2A, inclusive, as appearing in the 2008 Official Edition, and inserting the  
1747 following 4 sections:-

1748 Section 1. There shall be a committee for public counsel services, hereinafter referred to  
1749 as the committee, to plan, oversee, and coordinate the delivery of criminal and certain  
1750 noncriminal legal services by salaried public counsel, bar advocate and other assigned  
1751 counsel programs and private attorneys serving on a per case basis. The committee shall  
1752 consist of 15 persons: 2 of whom shall be appointed by the governor; 2 of whom shall be  
1753 appointed by the president of the senate; 2 of whom shall be appointed by the speaker of  
1754 the house of representatives; and 9 of whom shall be appointed by the justices of the  
1755 supreme judicial court, 1 of whom shall have experience as a public defender, 1 of whom  
1756 shall have experience as a private bar advocate, 1 of whom shall have criminal appellate  
1757 experience, 1 shall have a background in public administration and public finance, and 1  
1758 of whom shall be a current or former dean or faculty member of a law school. The court  
1759 shall request and give appropriate consideration to nominees for the 9 positions from the  
1760 Massachusetts Bar Association, county bar associations, the Boston Bar Association and  
1761 other appropriate bar groups including, but not limited to, the Massachusetts Black  
1762 Lawyers' Association, Inc., Women's Bar Association of Massachusetts, Inc., and the  
1763 Massachusetts Association of Women Lawyers, Inc.

1764 All members of the committee shall have a strong commitment to quality representation  
1765 in indigent defense matters or have significant experience with issues related to indigent  
1766 defense. The committee shall not include presently serving judges, elected state, county  
1767 or local officials, district attorneys, state or local law enforcement officials or public  
1768 defenders employed by the commonwealth. The term of office of each member of the  
1769 committee shall be 4 years. Members of the committee may be removed for cause by the  
1770 justices of the supreme judicial court. Vacancies shall be filled by the appointing  
1771 authority that made the initial appointment to the unexpired term of the appointee within  
1772 60 days of the occurrence of the vacancy. An appointee shall continue in office beyond  
1773 the expiration date of the appointee’s term until a successor in office has been appointed  
1774 and qualified. While serving on the committee, no member shall be assigned or  
1775 appointed to represent indigent defendants before any court of the commonwealth. No

1776 member shall receive any compensation for service on the committee, but each member  
1777 shall be reimbursed for actual expenses incurred in attending the committee meetings.

1778 Chapter 268A shall apply to all members, officers and employees of the committee,  
1779 except that the committee may provide representation or enter into a contract pursuant to  
1780 section 3 or section 6, although a member of the committee may have an interest or  
1781 involvement in any such matter if such interest and involvement is disclosed in advance  
1782 to the other members of the committee and recorded in the minutes of the committee;  
1783 provided, however, that no member having an interest or involvement in any contract  
1784 under section 3 may participate in any particular matter, as defined in section 1 of chapter  
1785 268A, relating to such contract.

1786 Section 2. The committee for public counsel services shall establish a definition of  
1787 "indigency" for the purposes of this chapter and uniform standards and procedures for the  
1788 determination by the courts of the commonwealth that: (1) a person is indigent and is  
1789 unable to obtain counsel or (2) a person is indigent, but has the ability to pay a reduced  
1790 fee for the appointment of counsel. The definition and standards, and any amendments  
1791 thereto, shall be subject to the approval of the supreme judicial court and shall be used by  
1792 the courts of the commonwealth in determining assignment of cases to the committee  
1793 pursuant to section 5. In the formulation of the definition, standards and procedures, the  
1794 committee shall utilize: (1) the reporting system operated by the commissioner of  
1795 transitional assistance for the purpose of verifying financial eligibility of participants in  
1796 state or federally funded programs; (2) the accessibility of income data available from the  
1797 department of revenue; and (3) verifying material assets through the registry of motor  
1798 vehicles.

1799 Section 2A. (a) A person claiming indigency under section 2 shall execute a waiver  
1800 authorizing the court's chief probation officer, or the officer's designee, to obtain the  
1801 person's wage, tax and asset information from the department of revenue, department of  
1802 transitional assistance and the registry of motor vehicles that the court may find useful in  
1803 verifying the person's claim of indigency. The waiver shall authorize the chief probation  
1804 officer, or the officer's designee, to conduct any further reassessment required by this  
1805 section.

1806 (b) It shall be the responsibility of the chief probation officer assigned to each court to  
1807 ensure that a person claiming to be indigent meets the definition of indigency under  
1808 section 2. A person seeking the appointment of counsel shall be interviewed by the chief  
1809 probation officer or the officer's designee prior to the appointment of counsel. The person  
1810 conducting the interview shall explain to the person seeking appointment of counsel: (1)  
1811 the definition of indigency; (2) the process used to verify the person's information with  
1812 other state agencies; and (3) the penalties for misrepresenting financial information in  
1813 applying for the appointment of counsel. The officer or the officer's designee conducting  
1814 the interview shall prepare a written indigency intake report that shall record the results  
1815 of the interview and state a recommendation on whether or not the person seeking  
1816 appointment of counsel is indigent. The person seeking appointment of counsel and the  
1817 officer or the officer's designee conducting the interview shall sign the indigency intake

report. In signing the report, the person seeking appointment of counsel shall certify under the pains and penalties of perjury that the information contained therein is true and that the person has not concealed any information relevant to the person's financial status. All statements contained in the report shall be deemed material statements. The completed report shall be presented to a judge who may adopt or reject the recommendations in the report, either in whole or in part.

(c) Appointment of counsel by a court shall, at all times, be subject to verification of indigency by the chief probation officer assigned to each court. The chief probation officer or the officer's designee shall, within 7 business days of appointment of counsel, complete a final report of the financial circumstances of the person for whom counsel was appointed containing wage, tax and asset information. In preparing the final report, the chief probation officer or the officer's designee may access, through electronic sharing of information pursuant to a memorandum of understanding, wage, tax and asset information in the possession of the department of revenue and the department of transitional assistance, and any other information relevant to the verification of indigency in the possession of the registry of motor vehicles. These departments shall provide this information to the chief probation officer or the officer's designee upon request. The chief probation officer shall sign the final report, certifying that the person for whom counsel was appointed either continues to meet or no longer meets the definition of indigency. Thereafter, the report shall be filed with the case papers and shall be presented to the judge presiding at the person's next court appearance; provided, however, that if a person for whom counsel was appointed is found to not meet the definition of indigency, a court appearance shall be scheduled as soon as feasible prior to the person's next court appearance if the next court appearance is more than 2 weeks from the date the final report is completed. If, upon receipt of the report, a judge finds that the person for whom counsel was appointed no longer meets the definition of indigency, the judge shall revoke the appointment of counsel and allow such person a reasonable continuance to obtain new counsel.

Not later than 6 months after the appointment of counsel, and every 6 months thereafter, the chief probation officer or the officer's designee shall conduct a further reassessment of the financial circumstances of the person for whom counsel was appointed to ensure that the person continues to meet the definition of indigency. The chief probation officer or the officer's designee shall prepare, sign and file a written report certifying that the person either continues to meet, or no longer meets, the definition of indigency.

(d) If a criminal defendant is charged with a second or further offense while continuing to be represented by court-appointed counsel for a previously charged offense, the court in its discretion shall determine whether any further determination of indigency, other than the bi-annual reassessments required by the defendant's representation for the first offense, need be undertaken. Upon completion of a reassessment, the chief probation officer shall prepare a written report of the officer's findings. The chief probation officer shall sign the report, certifying that the defendant either continues to meet or no longer meets the definition of indigency. The report shall be filed with the case papers and shall be presented to the judge presiding at the defendant's next court appearance. If, upon

1861 receipt of the report, a judge finds that the defendant no longer meets the definition of  
1862 indigency, the judge shall revoke the appointment of counsel and allow the defendant a  
1863 reasonable continuance to obtain new counsel.

1864 (e) If the court finds that a person has materially misrepresented or omitted information  
1865 concerning the person's property or assets for purposes of determining indigency and that  
1866 the person does not meet the definition of indigency, the court shall immediately  
1867 terminate any assignment or appointment of counsel made under this chapter and shall  
1868 assess costs of not less than \$1,000 against the person.

1869 (f) A person provided counsel under this chapter shall be assessed a counsel fee of \$150,  
1870 which the court may waive only upon a determination from officer's data verification  
1871 process that the person is unable to pay such \$150 within 180 days. If, upon the biannual  
1872 reassessment of the person's indigency, the court concludes that the person is able to pay  
1873 the \$150 counsel fee of which the person obtained a waiver, the court shall revoke the  
1874 waiver and reimpose the \$150 counsel fee. The fee shall be in addition to any reduced fee  
1875 required pursuant to section 2.

1876 (g) The court may authorize a person for whom counsel was appointed to perform  
1877 community service in lieu of payment of the counsel fee. A person seeking to work off a  
1878 counsel fee in community service shall perform 10 hours of community service, in a  
1879 community service program administered by the administrative office of the trial court,  
1880 for each \$100 owed in legal counsel fees, which may be prorated. Notwithstanding any  
1881 general or special law to the contrary, a court proceeding shall not be terminated and the  
1882 person shall not be discharged if the person owes any portion of the legal counsel fee  
1883 imposed by this section. The clerk shall not release any bail posted on such court  
1884 proceeding until the legal counsel fee is satisfied in accordance with this chapter.

1885 (h) The clerk of the court shall, within 60 days of appointment of counsel, report to the  
1886 department of revenue, the department of transitional assistance and the registry of motor  
1887 vehicles the amount of any legal counsel fee owed by the person for whom counsel was  
1888 appointed under this chapter. The department of revenue shall intercept payment of such  
1889 fee from tax refunds due to persons who owe all or a portion of such fee. The registry of  
1890 motor vehicles shall not issue or renew a person's driver's license or motor vehicle  
1891 registration for any vehicle subsequently purchased by such person until it receives  
1892 notification from the clerk of the court that the fee has been collected or worked off in  
1893 community service.

1894 (i) The office of the commissioner of probation shall submit quarterly reports to the house  
1895 and senate committees on ways and means that shall include, but not be limited to: (a) the  
1896 number of individuals claiming indigency who are determined to be indigent; (b) the  
1897 number of individuals claiming indigency who are determined not to be indigent; (c) the  
1898 number of individuals found to have misrepresented wage, tax or asset information; (d)  
1899 the number of individuals found to no longer qualify for appointment of counsel upon  
1900 any re-assessment of indigency required by this section; (e) the total number of times an  
1901 indigent misrepresentation fee was collected and the aggregate amount of indigent  
1902 misrepresentation fees collected; (f) the total number of times indigent counsel fees were

1903 collected and waived and the aggregate amount of indigent counsel fees collected and  
1904 waived; (g) the average indigent counsel fee that each court division collects; (h) the total  
1905 number of times an indigent but able to contribute fee was collected and waived and the  
1906 aggregate amount of indigent but able to contribute fees collected and waived; (i) the  
1907 highest and lowest indigent but able to contribute fee collected in each court division; (j)  
1908 the number of cases in which community service in lieu of indigent counsel fees was  
1909 performed; and (k) other pertinent information to ascertain the effectiveness of indigency  
1910 verification procedures. The information within such reports shall be delineated by court  
1911 division, and delineated further by month.

1912 Section 2B. A person charged with a misdemeanor or a violation of a municipal  
1913 ordinance or bylaw, on motion of the commonwealth, the person or on the court's own  
1914 motion, shall not be appointed counsel if the judge, at arraignment, informs such person  
1915 on the record that, if the person is convicted of such offense, the person's sentence shall  
1916 not include any period of incarceration. For good cause, that judge or another judge of the  
1917 same court may later revoke such determination on the record and appoint counsel, and  
1918 on the request such counsel shall be entitled to a continuance to conduct any necessary  
1919 discovery and to prepare adequately for trial. Any such determination or revocation by a  
1920 judge shall be endorsed upon the docket of the case.

1921 SECTION 113. Said chapter 211D is hereby further amended by striking out sections 6  
1922 and 6A, as so appearing, and inserting in place thereof the following 2 sections:-

1923 Section 6. (a) In carrying out its duties as prescribed in section 5, the committee shall  
1924 utilize its staff of attorneys, which shall be known hereafter as the public defender  
1925 division. The division shall include a unit to be known as the Roxbury defenders unit,  
1926 which shall represent clients as assigned pursuant to this chapter in the Roxbury division  
1927 of the district court department. The public defender division shall be assigned to  
1928 represent indigent defendants in all criminal cases, except that: (i) the public defender  
1929 division shall not be assigned to represent more than 1 defendant in any matter before any  
1930 court on the same case or arising out of the same incident; (ii) the public defender  
1931 division shall not be assigned to represent a defendant in any case in which there is a  
1932 conflict of interest with any of its clients; (iii) notwithstanding any general or special law  
1933 to the contrary, the public defender division shall be assigned in any civil or criminal  
1934 matter described in subsection (b) if the chief counsel determines in writing that  
1935 insufficient numbers of qualified attorneys are available for assignment by the private  
1936 counsel division.

1937 (b) In carrying out its duties as prescribed in section 5, the committee shall establish,  
1938 supervise and maintain a system for the appointment of private counsel, hereafter called  
1939 the private counsel division, which shall include a children and family law program and a  
1940 mental health unit. The committee shall enter into contractual agreements with any state,  
1941 county or local bar association or voluntary charitable group, corporation or association,  
1942 including bar advocate groups, for the purpose of providing such counsel. The committee  
1943 may also contract with such other organized groups of attorneys as may be formed to  
1944 afford representation to indigent defendants and may appoint and compensate private  
1945 attorneys, on a case-by-case basis, as counsel for indigents entitled to representation. No

1946 individual, member or participant in a group, corporation or association with whom the  
1947 committee may contract under this paragraph shall be considered to be or have any rights  
1948 as a state employee.

1949 The private counsel division shall be assigned for all persons accused of crimes entitled  
1950 to counsel who, through their inability to pay for counsel, shall have counsel appointed to  
1951 them, but who, pursuant to subsection (a) shall not be represented by the public counsel  
1952 division.

1953 The private counsel division shall also be assigned to represent persons in such other  
1954 proceedings as the chief counsel shall determine to be necessary.

1955 Section 6A. In carrying out its duties as prescribed in sections 5 and 6, the committee  
1956 shall establish a children and family law program which shall, upon the court's  
1957 appointment, provide representation to indigent persons in children and family law cases.  
1958 Nothing herein shall be construed to limit the system as established in sections 5 and 6,  
1959 whereby the court appoints certified private counsel to represent children and parents in  
1960 the majority of children and family law cases.

1961 SECTION 114. Section 7 of said chapter 211D is hereby repealed.

1962 SECTION 115. Said chapter 211D is hereby further amended by striking out section 11,  
1963 as appearing in the 2008 Official Edition, and inserting in place thereof the following  
1964 section:-

1965 Section 11. (a) The rates of compensation payable to all counsel, who are appointed or  
1966 assigned to represent indigents within the private counsel division of the committee in  
1967 accordance with the provisions of paragraph (b) of section 6, shall, subject to  
1968 appropriation, be as follows: for homicide cases the rate of compensation shall be \$100  
1969 per hour; for superior court non-homicide cases, including sexually dangerous person  
1970 cases, the rate of compensation shall be \$60 per hour; for district court cases and children  
1971 in need of services cases the rate of compensation shall be \$50 per hour; for children and  
1972 family law cases, care and protection cases, sex offender registry cases and mental health  
1973 cases the rate of compensation shall be \$50 per hour. These rates of compensation shall  
1974 be reviewed periodically at public hearings held by the committee at appropriate  
1975 locations throughout the state, and notice shall be given to all state, county and local bar  
1976 associations and other interested groups, of such hearings by letter and publication in  
1977 advance of such hearings. This periodic review shall take place not less than once every 3  
1978 years.

1979 (b) The committee shall set an annual cap on billable hours not in excess of 1,650 hours.  
1980 Counsel appointed or assigned to represent indigents within the private counsel division  
1981 shall not be paid for any time billed in excess of the annual limit of billable hours. It  
1982 shall be the responsibility of private counsel to manage their billable hours.

1983 (c) Any counsel who is appointed or assigned to represent indigents within the private  
1984 counsel division, except any counsel appointed or assigned to represent indigents within  
1985 the private counsel division in a homicide case, shall be prohibited from accepting any



1986 new appointment or assignment to represent indigents after that counsel has billed 1,350  
1987 billable hours during any fiscal year.

1988

1989 SECTION 116. Said chapter 211D is hereby further amended by striking out section 12,  
1990 as appearing in section 88 of chapter 27 of the acts of 2009, and inserting in place thereof  
1991 the following section:-

1992 Section 12. (a) The committee shall establish policies and procedures to provide fair  
1993 compensation to private counsel and vendors, which shall include a remedy for an  
1994 attorney aggrieved by the amount of payment. The committee shall also establish an audit  
1995 and oversight department to monitor billing and private attorney and vendor  
1996 compensation. All private attorney invoices shall be processed for payment within 30  
1997 days of receipt by the chief counsel, excluding any bills held for review or audit. Bills  
1998 shall be submitted to the committee within 60 days of the conclusion of a case or, if the  
1999 case is pending at the end of the fiscal year, within 30 days after the end of such fiscal  
2000 year. The amount of payment for invoices received by the chief counsel more than 60  
2001 days but less than 90 days after the final disposition of the case or more than 30 days but  
2002 less than 60 days after the end of the fiscal year shall be reduced by 10 per cent. Bills  
2003 submitted after such date need not be processed for payment within 30 days. For all bills  
2004 not submitted to the committee within 90 days after the conclusion of a case or, if the  
2005 case is pending at the end of the fiscal year, within 60 days after the end of the fiscal  
2006 year, those bills so submitted after such date shall not be processed for payment;  
2007 provided, however, that the chief counsel may authorize the payment of such bills, either  
2008 in whole or in part, upon a determination that the delay was due to extraordinary  
2009 circumstances beyond the control of the attorney.

2010 (b) Bills shall be submitted to the committee for services provided under sections 27A to  
2011 27G, inclusive, of chapter 261 within 60 days of the last date of service or, if the case is  
2012 pending at the end of the fiscal year, within 30 days after the end of such fiscal year. The  
2013 amount of payment for invoices received by the chief counsel more than 60 days but less  
2014 than 90 days after the last date of service or more than 30 days but less than 60 days after  
2015 the end of the fiscal year shall be reduced by 10 per cent. For all bills not submitted to the  
2016 committee within 90 days after the last date of service or, if the case is pending at the end  
2017 of the fiscal year, within 60 days after the end of the fiscal year, those bills so submitted  
2018 after such date shall not be processed for payment; provided, however, that the chief  
2019 counsel may authorize the payment of such bills either in whole or in part upon a  
2020 determination that the delay was due to extraordinary circumstances beyond the control  
2021 of the vendor.

2022 (c) The committee may further prescribe such policies and procedures for payment as it  
2023 deems appropriate; provided, however, that the committee may impose interest and  
2024 penalties, where appropriate, upon overpayment of the private attorney bills recovered  
2025 from private attorneys and upon overpayment of vendor bills recovered from vendors.

2026 SECTION 117. Section 14 of said chapter 211D is hereby repealed.

2027 SECTION 118. Section 34E of chapter 221 of the General Laws is hereby amended by  
2028 striking out the last paragraph, as appearing in the 2008 Official Edition, and inserting in  
2029 place thereof the following paragraph:-

2030 The committee shall be eligible for federal funds and may accept gifts, donations, grants,  
2031 contributions or appropriations, which may be received from any source, public or  
2032 private, to be held, used or expended for any purpose related to the duties of the  
2033 committee and, in the case of a grant, in accordance with the terms and conditions of such  
2034 grant. The committee may enter into contracts to provide or receive services with any  
2035 federal or state entity, with any group or individual, whether for profit or non-profit, or  
2036 with any voluntary or charitable group, association or organization including any bar  
2037 association or foundation. Any such donations, funds, contributions or grants shall be  
2038 deposited in the Mental Health Legal Advisors Committee Trust.

2039 SECTION 119. Said chapter 221 is hereby further amended by striking out section 88, as  
2040 most recent amended by section 96 of chapter 27 of the acts of 2009, and inserting in  
2041 place thereof the following section:-

2042 Section 88. Upon request of the presiding justice or any party, the stenographer shall  
2043 furnish a transcript of his notes, or any part thereof, taken at a trial or hearing, for which  
2044 he shall be paid by the party requesting it at the rate of \$3 per page for the original and \$1  
2045 per page for each additional copy ordered at the same time. If requested by a party, the  
2046 stenographer shall furnish an electronic reproduction at an amount not to exceed \$5 for  
2047 each electronic reproduction requested. All electronic reproductions shall be in an open  
2048 source format as specified by the office of transcription services. Additional paper copies,  
2049 if so requested by an indigent person or counsel for an indigent person, shall be paid at  
2050 \$.10 per page. In the event that daily copy is ordered by the presiding justice or any party,  
2051 the rate shall be \$4.50 per page for the original copy and \$1.50 per page for each  
2052 additional copy; provided that, if requested by a party, the stenographer shall furnish an  
2053 electronic reproduction at an amount not to exceed \$5 for each electronic reproduction;  
2054 and provided further, that additional paper copies, if so requested by an indigent person  
2055 or counsel for an indigent person, shall be paid at \$.10 per page. If a transcript is ordered  
2056 by the presiding justice or, in a criminal case, by the district attorney, payment therefor  
2057 shall be made at the same rate by the administrative office of the trial court upon a  
2058 voucher approved by the presiding justice and, in a criminal case, the charges for  
2059 transcripts furnished to a justice and to the district attorney shall be taxed like other  
2060 expenses. If the presiding justice orders that a statement given to the police be  
2061 transcribed, all parties shall receive a copy and payment therefor shall be made at the  
2062 same rate by the administrative office of the trial court upon a voucher approved by the  
2063 presiding justice.

2064 SECTION 120. Section 27C of chapter 261 of the General Laws, as appearing in the  
2065 2008 Official Edition, is hereby amended by adding the following subsection:—

2066 (6) If the court makes a finding that the applicant could reasonably pay part of the normal  
2067 fees and costs or extra fees and costs, the court may assess a reasonable partial payment  
2068 towards said fees or costs and a date by which same is to be paid by the applicant. The

2069 court shall not order partial payment without first holding a hearing thereon, and if there  
 2070 is an appeal pursuant to section 27D following such an order, the court shall, within 3  
 2071 days, set forth its written findings and reasons justifying the order of partial payment,  
 2072 which document shall be part of the record on appeal.

2073 SECTION 121. Section 1 of chapter 703 of the acts of 1963 is hereby amended by  
 2074 striking out paragraph (h), as appearing in section 78 of chapter 189 of the acts of 2010,  
 2075 and inserting in place thereof the following paragraph:-

2076 (h) "State college", any of the public institutions of higher education in the state  
 2077 university segment or the community college segment established in section 5 of chapter  
 2078 15A.

2079

2080 SECTION 122. The first sentence of section 3 of said chapter 703, as appearing in  
 2081 section 2 of chapter 290 of the acts of 1998, is hereby amended by inserting after the  
 2082 word "commonwealth", in line 13, the following words:- ; provided, however, that the  
 2083 Authority shall not provide housing facilities at community colleges unless the board of  
 2084 higher education authorizes the action.

2085

2086 SECTION 123. The fourth sentence of section 6 of said chapter 703, as appearing in  
 2087 section 24 of chapter 120 of the acts of 2009, is hereby amended by striking out, in line 4,  
 2088 the words "any applicable state college" and inserting in place thereof the following  
 2089 words:- 1 or more state colleges, as appropriate.

2090

2091 SECTION 124. The first sentence of the first paragraph of section 18A of said chapter  
 2092 703 is hereby amended by striking out, in lines 13 to 15, inclusive, as appearing in  
 2093 section 10 of chapter 258 of the acts of 2008, the words ", and amounts described in  
 2094 clause (ii) shall be used only to prevent a default by the Authority in connection with  
 2095 indebtedness incurred by the Authority on behalf of the applicable state college".

2096

2097 SECTION 125. Paragraph (d) of section 15 of chapter 152 of the acts of 1997, as  
 2098 appearing in section 5 of chapter 256 of the acts of 2006, is hereby amended by striking  
 2099 out, in lines 3 and 4, the words "250,000 gross square feet or more of the center's  
 2100 exhibition space" and inserting in place thereof the following words:- 160,000 gross  
 2101 square feet or more of the center's exhibition space; provided, however, that the  
 2102 Massachusetts Convention Center Authority shall conduct a traffic study associated with  
 2103 increased gate show activity and its effect on the South Boston district of the city of  
 2104 Boston.

2105 SECTION 126. Chapter 47 of the acts of 1997 is hereby amended by striking out section  
 2106 22, as most recently amended by section 35 of chapter 61 of the acts of 2007, and  
 2107 inserting in place thereof the following section:-

2108 Section 22. Notwithstanding any general or special law to the contrary, in fiscal years  
 2109 2012 to 2016, inclusive, the division of health care finance and policy shall allocate  
 2110 \$1,000,000 annually for a Fishing Partnership Health Plan Corporation project that shall  
 2111 provide services to fishermen and fishing families; provided, that such services shall

2112 include, but not be limited to, assisting fishermen and fishing families in obtaining health  
2113 insurance coverage.

2114 SECTION 127. Section 3A of chapter 175 of the acts of 1998 is hereby repealed.

2115

2116 SECTION 128. Section 20A of said chapter 175 is hereby repealed

2117

2118 SECTION 129. Section 25 of said chapter 175 is hereby repealed

2119

2120 SECTION 130. Section 43 of chapter 206 of the acts of 1998 is hereby amended by  
2121 striking out the first sentence and inserting in place thereof the following 3 sentences:-  
2122 The department of environmental protection shall perform a targeted audit of a  
2123 statistically significant number, as determined by the department, of sites at which an  
2124 activity and use limitation has been implemented in order to ensure that response actions  
2125 not overseen or conducted by the department are performed in compliance with chapter  
2126 21E of the General Laws and regulations adopted thereunder. In determining the  
2127 statistically significant number, the department shall take into account the need for audits  
2128 to ensure a high level of compliance with said chapter 21E and the Massachusetts  
2129 Contingency Plan promulgated pursuant to said chapter and the need to target audit  
2130 resources in the most efficient and effective manner.

2131 SECTION 131. Section 21 of chapter 137 of the acts of 2003, as appearing in section 77  
2132 of chapter 182 of the acts of 2008, is hereby amended by striking out the first sentence  
2133 and inserting in place thereof the following sentence:- Section 1 shall expire on  
2134 September 11, 2014.

2135 SECTION 132. Section 113 of chapter 58 of the acts of 2006 is hereby amended by  
2136 inserting after the word “measurements”, in line 22, the following words:- ; provided,  
2137 however, that substance abuse benefits shall instead obtain the approval of the  
2138 commissioner of public health.

2139 SECTION 133. Chapter 122 of the acts of 2006 is hereby amended by striking out section  
2140 130 and inserting in place thereof the following section:-

2141 Section 130. Notwithstanding any general or special law or regulation to the contrary, the  
2142 state comptroller shall grant a permanent waiver or exemption from all applicable charges  
2143 or assessments made against the Water Supply Protection Trust by the office of the  
2144 comptroller pursuant to its authority under sections 5D and 6B of chapter 29 of the  
2145 General Laws; provided, however, that beginning in fiscal year 2012, the Water Supply  
2146 Protection Trust shall be liable to pay those charges that represent the fringe benefits for  
2147 department of conservation and recreation personnel that either dedicate their full time  
2148 and attention to watershed protection activities or spend some portion of their time  
2149 indirectly supporting the department’s watershed protection activities.

2150

2151 SECTION 134. Section 144 of said chapter 122 is hereby amended by striking out, in  
2152 lines 4 to 6, inclusive, the words “; provided, however, that no waiver or exemption shall  
2153 be granted without the written approval of the secretary of administration and finance”.

2154 SECTION 135. Section 114 of chapter 169 of the acts of 2008 is hereby amended by  
 2155 striking out, in line 3, the figure "2011" and inserting in place thereof the following  
 2156 figure:- 2016.

2157 SECTION 136. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby  
 2158 amended by striking out, in line 2, the figure "2012" and inserting in place thereof the  
 2159 following figure:- 2013.

2160 SECTION 137. Section 23 of chapter 5 of the acts of 2009 is hereby amended by striking  
 2161 out the figure "2011", inserted by section 115 of chapter 131 of the acts of 2010, and  
 2162 inserting in place thereof the following figure:- 2012.

2163 SECTION 138. Section 152 of chapter 25 of the acts of 2009 is hereby amended by  
 2164 striking out, in line 4, the figure "2011" and inserting in place thereof the following  
 2165 figure:- 2013.

2166

2167 SECTION 139. Item 4000-0640 of section 2 of chapter 131 of the acts of 2010 is hereby  
 2168 amended by striking out the words "and provided further, that notwithstanding any  
 2169 general or special law to the contrary, contingent upon receipt of not less than  
 2170 \$27,200,000 in TANF contingency funds authorized by Title IV, section 403(b) of the  
 2171 Social Security Act, the division shall establish nursing facility supplemental Medicaid  
 2172 rates and that a sum of \$27,200,000 shall be distributed as supplemental nursing facility  
 2173 Medicaid rates for fiscal year 2011", added by section 51A of chapter 359 of the acts of  
 2174 2010, and inserting in place thereof the following words:- provided further, that the  
 2175 division shall establish additional nursing facility supplemental Medicaid rates that  
 2176 cumulatively total \$27,000,000 which shall be distributed as supplemental nursing  
 2177 facility Medicaid rates; provided further, that not less than \$2,800,000 shall be expended  
 2178 as incentive payments to nursing facilities meeting the criteria determined by the  
 2179 MassHealth Nursing Facility Pay for Performance, or P4P, Program in 114.2 CMR 6.07  
 2180 and that have established and participated in a cooperative effort in each qualifying  
 2181 nursing facility between representatives of employees and management that is focused on  
 2182 implementing that criteria and improving the quality of services available to MassHealth  
 2183 members; and provided further, that any unexpended funds in this item shall not revert  
 2184 but shall be made available for the purposes of this item until June 30, 2012.

2185

2186 SECTION 140. Said item 4000-0640 of said section 2 of chapter 131, as most recently  
 2187 amended by said section 51A of said chapter 359, is hereby further amended by striking  
 2188 out the figure \$288,500,000 and inserting in place thereof the following figure:-  
 2189 \$318,300,000.

2190

2191 SECTION 141. Section 2E of chapter 131 of the acts of 2010 is hereby amended by  
 2192 striking out item 1595-5819 and inserting in place thereof the following item:-  
 2193

2194 1595-5819.. For an operating transfer to the Commonwealth Care Trust Fund, established  
 2195 under section 2000 of chapter 29 of the General Laws, notwithstanding the requirement  
 2196 that transfers be completed no later than June 30, 2011 in the introductory paragraph of

2197 this section; provided, that up to \$30,000,000 shall be transferred from the  
2198 Commonwealth Care Trust Fund to the Health Safety Net Trust Fund, established under  
2199 section 36 of chapter 118G of the General Laws; provided further, that the hospital fiscal  
2200 year 2011 payment amount to each hospital shall be funded by the Health Safety Net  
2201 Trust Fund; provided further, that payments may be made either as safety net care  
2202 payments under the commonwealth's section 1115 waiver, or as an adjustment to Title  
2203 XIX service rate payments, or a combination thereof; provided further, that the executive  
2204 office of health and human services and the health safety net office may use other  
2205 federally permissible funding mechanisms available for public service hospitals, as  
2206 defined in 114.1 CMR 36.02, to reimburse up to \$70,000,000 of uncompensated care at  
2207 the hospitals using sources distinct from the funding made available to the Health Safety  
2208 Net Trust Fund; provided further, that the secretary of administration and finance, in  
2209 consultation with the secretary of health and human services and the executive director of  
2210 the commonwealth health insurance connector authority, shall on a quarterly basis  
2211 evaluate the revenue needs of the health safety net program funded by the Health Safety  
2212 Net Trust Fund and the Commonwealth Care subsidized health insurance program funded  
2213 by the Commonwealth Care Trust Fund, and if necessary, transfer monies between these  
2214 funds for the purpose of ensuring that sufficient revenues are available to support  
2215 projected program expenditures; provided further, that the secretary of administration and  
2216 finance shall report any transfers made between the Health Safety Net Trust Fund and the  
2217 Commonwealth Care Trust Fund to the house and senate committees on ways and means  
2218 and the joint committee on healthcare financing within 30 days of the proposed transfer;  
2219 and provided further, that notwithstanding any general or special law to the contrary, that  
2220 amounts transferred from the General Fund to the Commonwealth Care Trust Fund  
2221 pursuant to this item shall be made available to support the costs of the Commonwealth  
2222 Care and Commonwealth Care Bridge subsidized health insurance programs until June  
2223 30, 2012 .....739,011,822

2224 SECTION 142. Said chapter 131 is hereby further amended by striking out section 183  
2225 and inserting in place thereof the following section:-

2226 (a) Notwithstanding any general or special law to the contrary, the office of Medicaid  
2227 within the executive office of health and human services shall: (i) continue to implement  
2228 the state option provided by section 1902(ee) of the Social Security Act, 42 U.S.C.  
2229 section 1396a(ee), to verify the citizenship or nationality of MassHealth applicants  
2230 declaring to be United States citizens or nationals; and (ii) register for the federal  
2231 Systematic Alien Verification for Entitlements, or SAVE, system and shall use that  
2232 system to verify whether MassHealth applicants whose documentation is not available or  
2233 is questionable are qualified aliens for benefit eligibility purposes.

2234 (b) The office of Medicaid shall, on or before December 31, 2011, provide a written  
2235 report to the senate and house committees on ways and means and the executive office  
2236 for administration and finance detailing the specific steps it has undertaken to implement  
2237 SAVE, the other departments it worked with to implement such steps and, if it was  
2238 unable to implement the program by that date, the specific reasons it has been unable to  
2239 implement the SAVE program as required by this section and a proposed schedule for

2240 implementation. Should the office of Medicaid find that it is not able to implement the  
2241 SAVE system prior to January 1, 2012, it shall continue to undertake all reasonable, cost-  
2242 effective measures to verify the eligibility of applicants, including ensuring eligibility on  
2243 the basis of citizenship, during all times it is not implementing the SAVE system and  
2244 shall continue to implement a cost effective system that utilizes SAVE.

2245 (c) Consistent with federal and state law and notwithstanding clause (ii) of subsection (a),  
2246 the registration for the SAVE system pursuant to this section may be incorporated into a  
2247 system for the executive office of health and human services and all agencies organized  
2248 therein to determine common eligibility standards for applicants; provided, however, that  
2249 such system shall include registration for the SAVE system. Nothing in this section shall  
2250 be construed to prevent the development of a system of common eligibility standards that  
2251 includes additional agencies outside the executive office of health and human services;  
2252 provided, however, that such system shall include registration for the SAVE system.  
2253 Annually, on or before December 31, or as further developments warrant, the executive  
2254 office of health and human services or the executive office for administration and finance  
2255 shall report to the senate and house committees on ways and means the status of efforts to  
2256 implement a system to determine common eligibility standards for applicants.

2257 (d) Annually, on or before December 31, the executive office of health and human  
2258 services shall report to the senate and house committees on ways and means and the  
2259 executive office for administration and finance the amount of money recovered from  
2260 recipients, providers or other vendors who fraudulently received benefits or payments  
2261 under chapter 118E of the General Laws.

2262 SECTION 143. Section 184 of said chapter 131 is hereby amended by striking out clause  
2263 (5).

2264 SECTION 144. Section 195 of said chapter 131 is hereby amended by striking out the  
2265 figure "2011" and inserting in place thereof the following figure:- 2012.

2266 SECTION 145. Section 124 of chapter 359 of the acts of 2010 is hereby amended by  
2267 striking out the words "and June 30, 2011" and inserting in place thereof the following  
2268 words:- , June 30, 2011 and June 30, 2012.

2269  
2270 SECTION 146. Whenever the secretary of administration and finance determines that  
2271 procurement reforms or initiatives have resulted in cost savings for an agency of the  
2272 executive department during fiscal year 2012, the secretary may reduce allotments under  
2273 section 9B of chapter 29 of the General Laws to reflect some or all of the amounts saved,  
2274 and within 15 days shall notify in writing the house and senate committees on ways and  
2275 means. The total amount of such allotment reductions shall not exceed \$25,000,000 in  
2276 fiscal year 2012.

2277 SECTION 147. Notwithstanding any general or special law to the contrary, nursing  
2278 facility and resident care facility rates effective July 1, 2011, under section 7 of chapter  
2279 118G of the General Laws may be developed using the costs of calendar year 2005.

2280 SECTION 148. Notwithstanding any general or special law to the contrary, in hospital  
2281 fiscal year 2012, the office of the inspector general may continue to expend funds from  
2282 the Health Safety Net Trust Fund, established by section 36 of chapter 118G of the  
2283 General Laws, for costs associated with maintaining a pool audit unit within the office.  
2284 The unit shall continue to oversee and examine the practices in all hospitals including,  
2285 but not limited to, the care of the uninsured and the resulting free charges. The inspector  
2286 general shall submit a report to the house and senate committees on ways and means on  
2287 the results of the audits and any other completed analyses not later than March 1, 2012.  
2288 For the purposes of these audits, allowable free care services shall be defined pursuant to  
2289 said chapter 118G and any regulations adopted thereunder.

2290 SECTION 149. Notwithstanding any general or special law to the contrary, upon  
2291 receiving a written request from the secretary of administration and finance, the  
2292 comptroller shall transfer to the General Fund the unexpended balance of a fund, trust  
2293 fund or other separate account, in existence on April 1, 2011, whether established  
2294 administratively or by law, including a separate account established under section 6 of  
2295 chapter 6A of the General Laws or section 4F of chapter 7 of the General Laws;  
2296 provided, however, that the secretary and comptroller shall report to the house and senate  
2297 committees on ways and means 45 days prior to any such transfer. The request shall  
2298 certify that the secretary, in consultation with the comptroller, has determined this  
2299 balance not to be necessary for the purposes for which it was made available.

2300 SECTION 150. Notwithstanding section 1 of chapter 29D of the General Laws or any  
2301 other general or special law to the contrary, all payments received by the commonwealth  
2302 in fiscal year 2012 pursuant to the master settlement agreement in Commonwealth of  
2303 Massachusetts v. Philip Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378, shall  
2304 be deposited in the General Fund. Notwithstanding section 3 of said chapter 29D to the  
2305 contrary, the comptroller shall transfer 100 per cent of the earnings generated in fiscal  
2306 year 2012 from the Health Care Security Trust, as certified under paragraph (f) of said  
2307 section 3 of said chapter 29D, to the General Fund.

2308 SECTION 151. Notwithstanding any general or special law to the contrary, the nursing  
2309 home assessment established by subsection (b) of section 25 of chapter 118G of the  
2310 General Laws shall be sufficient in the aggregate to generate \$220,000,000 in fiscal year  
2311 2012.

2312 SECTION 152. Notwithstanding section 1 of chapter 29D of the General Laws or any  
2313 other general or special law to the contrary, 10 per cent of all payments received by the  
2314 commonwealth in fiscal year 2013 under the master settlement agreement in  
2315 Commonwealth of Massachusetts v. Philip Morris, Inc. et. al., Middlesex Superior Court,  
2316 No. 95-7378, shall be deposited in the State Retiree Benefits Trust Fund, and the balance  
2317 of funds received in fiscal year 2013 shall be deposited in the General Fund. The amount  
2318 of these payments to be deposited in the State Retiree Benefits Trust Fund shall be  
2319 increased by 10 percentage points in fiscal year 2014 and in each subsequent fiscal year  
2320 until the amount to be deposited reaches 100 per cent of the payments.



SECTION 153. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the commonwealth's Pension Liability Fund established by section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' and the state teachers' retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to the rules adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain municipalities for pensions to retired teachers, including any other obligations which the commonwealth has assumed on behalf of any retirement system other than the state employees' or state teachers' retirement systems and also including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32 and the amounts to be transferred pursuant to clause (a) of the last paragraph of section 21 of chapter 138 of the General Laws. All payments for the purposes described in this section shall be made only pursuant to distribution of monies from the fund, and any distribution and the payments for which distributions are required shall be detailed in a written report filed quarterly by the secretary of administration and finance with the house and senate committees on ways and means and the joint committee on public service in advance of this distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. The state board of retirement may expend an amount for the purposes of the board of higher education's optional retirement program pursuant to section 40 of chapter 15A of the General Laws. To the extent that the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund, established by subdivision (8) of section 22 of said chapter 32, for the purpose of reducing the unfunded pension liability of the commonwealth.

SECTION 154. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Department of Transportation may incur liabilities and make expenditures in fiscal year 2012 in excess of funds available to the department for snow and ice removal; provided, that such expenditures are approved by the secretary of transportation in consultation with the secretary of administration and finance; provided, further, that no expenses shall be made in excess of funds available until \$50,000,000 has been expended for snow and ice removal in fiscal year 2012; provided, further, that the negative balance of funds available for snow and ice removal shall not exceed \$30,000,000 at any time; provided, further, that the state comptroller may certify for payment invoices in excess of funds available to the department; and provided, further, that any such payment that would result in a deficiency shall be pre-approved by the secretary of transportation in consultation with the secretary of administration and finance.

2365 (b) The department shall, on or before May 1, 2012, report to the executive office for  
2366 administration and finance and the house and senate committees on ways and means the  
2367 total amounts budgeted and expended for snow and ice removal; provided, that the  
2368 department shall seek appropriations, as required, to cure deficiencies resulting from the  
2369 removal of snow and ice for the fiscal year ending June 30, 2012.

2370 SECTION 155. (a) Notwithstanding any general or special law to the contrary, the  
2371 comptroller shall, on or before June 30, 2012, transfer \$200,000,000 to the General Fund  
2372 from the Commonwealth Stabilization Fund; provided, however, the comptroller shall  
2373 instead transfer a lesser amount if the secretary of administration and finance so requests  
2374 in writing. The comptroller, in consultation with the secretary of administration and  
2375 finance, may take the overall cash flow needs of the commonwealth into consideration in  
2376 determining the timing of any transfer of funds. The comptroller shall provide a schedule  
2377 of transfers to the secretary of administration and finance and to the house and senate  
2378 committees on ways and means.

2379 (b) Notwithstanding clause (a) of section 5C of chapter 29 of the General Laws or any  
2380 other general or special law to the contrary, during fiscal year 2012 the comptroller shall  
2381 not transfer 0.5 per cent of the total revenue from taxes in the preceding fiscal year to the  
2382 Commonwealth Stabilization Fund, as required by said clause (a). However, upon  
2383 written certification by the secretary of administration and finance that there are sufficient  
2384 funds to make some or all of the transfer required under said clause (a), the comptroller  
2385 shall so transfer the amount certified. The comptroller, in consultation with the secretary  
2386 of administration and finance, may take the overall cash flow needs of the commonwealth  
2387 into consideration in determining the timing of any transfer of funds under this  
2388 subsection. The comptroller shall provide a schedule of transfers to the secretary of  
2389 administration and finance and to the house and senate committees on ways and means.

2390 (c) Notwithstanding any general or special law to the contrary, the comptroller shall, on  
2391 or before June 30, 2012, transfer the interest earned from the Commonwealth  
2392 Stabilization Fund during fiscal year 2012 to the General Fund.

2393 SECTION 156. The inspector general shall expend funds from the Health Safety Net  
2394 Trust Fund, established in section 36 of chapter 118G of the General Laws, to conduct a  
2395 study and review of the Massachusetts Medicaid program. The study shall include, but  
2396 not be limited to, a review of the program's eligibility requirements, utilization, claims  
2397 administration and compliance with federal mandates. The inspector general shall report  
2398 any preliminary findings to the secretary of health and human services and the house and  
2399 senate committees on ways and means on or before October 3, 2011, and issue a final  
2400 report on or before March 1, 2012.

2401 SECTION 157. Notwithstanding any general or special law to the contrary, the formula  
2402 for application of funds provided in section 35J of chapter 10 of the General Laws shall  
2403 not apply in fiscal year 2012.

2404 SECTION 158. Notwithstanding any general or special law to the contrary, the  
2405 department of environmental protection shall transfer \$3,000,000 of funds previously  
2406 appropriated or loans repaid as a result of item 1231-1020 of section 2 of chapter 151 of

2407 the acts of 1996, as amended by section 54 of chapter 365 of the acts of 1996, to the  
2408 General Fund on account of fiscal year 2012.

2409 SECTION 159. Notwithstanding any general or special law to the contrary, the  
2410 Massachusetts Housing Finance Agency shall, on or before June 30, 2012, transfer not  
2411 more than \$5,400,000 of loan repayment proceeds received under section 27 of chapter  
2412 23B of the General Laws to the comptroller to be credited to the General Fund on account  
2413 of fiscal year 2012.

2414 SECTION 160. Notwithstanding any general or special law to the contrary, there shall be  
2415 established a tax expenditure commission that shall review and evaluate the  
2416 administration and fiscal impact of tax expenditures, as defined in section 1 of chapter 29  
2417 of the General Laws, and make recommendations to the General Court on the  
2418 administrative efficiency and cost benefit of tax expenditures. The commission shall  
2419 consider the public policy objectives behind the grant of any tax expenditure, the metrics  
2420 for measuring success in meeting those objectives and the need for additional reporting,  
2421 sunset or clawback provisions. A report of the commission's findings shall be filed with  
2422 the general court on or before April 30, 2012, which shall include any recommendations  
2423 regarding changes to the administration or evaluation of current tax expenditures and  
2424 criteria for evaluating proposals for new tax expenditures.

2425 The commission shall be comprised of the secretary of administration and finance or the  
2426 secretary's designee, who shall serve as chair; the state auditor or the auditor's designee;  
2427 the state treasurer and receiver general or the treasurer's designee; the minority leader of  
2428 the house of representatives or the house leader's designee; the minority leader of the  
2429 senate or the senate leader's designee; the chair of the house committee on ways and  
2430 means or the chair's designee; the chair of the senate committee on ways and means or  
2431 the chair's designee; the house and senate chairs of the joint committee on revenue or  
2432 their respective designees; and 2 members of the governor's council of economic  
2433 advisors, as designated by the governor, who shall have an expertise in economics or tax  
2434 policy.

2435 SECTION 161. Notwithstanding section 53 of chapter 118E of the General Laws or any  
2436 other general or special law to the contrary, the secretary of health and human services  
2437 may manage the MassHealth program within the appropriated levels in items 4000-0430,  
2438 4000-0500, 4000-0600, 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-0890,  
2439 4000-0895, 4000-0950, 4000-0990, 4000-1400 and 4000-1405 by restructuring benefits  
2440 to the extent permitted by federal law; provided, however, that notwithstanding any  
2441 general or special law to the contrary, at least 90 days before restructuring any  
2442 MassHealth benefits, the secretary shall file a report with the executive office for  
2443 administration and finance and the house and senate committees on ways and means  
2444 detailing the proposed changes and the anticipated fiscal impact of those changes.

2445 SECTION 162. Notwithstanding any general or special law to the contrary, the secretary  
2446 of health and human services may make expenditures for which federal reimbursement is  
2447 unavailable for: (1) the equivalent of MassHealth Standard benefits for children under

2448 age 21 who are in the care or custody of the department of youth services or the  
2449 department of children and families; and (2) dental benefits provided to clients of the  
2450 department of developmental services who are age 21 or over.

2451 SECTION 163. (a) Notwithstanding section 53 of chapter 118E of the General Laws, for  
2452 fiscal year 2012, the executive office of health and human services may determine the  
2453 extent to which to include within its covered services for adults the federally-optional  
2454 dental services that were included in its state plan or demonstration program in effect on  
2455 January 1, 2002 and the dental services that were covered for adults in the MassHealth  
2456 basic program as of January 1, 2002; provided, however, that notwithstanding any  
2457 general or special law to the contrary, at least 90 days before restructuring any  
2458 MassHealth dental benefits, the executive office shall file a report with the executive  
2459 office for administration and finance and the house and senate committees on ways and  
2460 means detailing the proposed changes and the anticipated fiscal impact of such changes.

2461 (b) Notwithstanding subsection (a) of section 6 of chapter 118H of the General Laws, for  
2462 fiscal year 2012, medically necessary dental services covered through health insurance  
2463 plans procured by the board of the commonwealth health insurance connector authority  
2464 for any resident with a household income that does not exceed 100 per cent of the federal  
2465 poverty level shall include preventative procedures but shall exclude those categories of  
2466 services that are not provided through MassHealth.

2467 SECTION 164. Notwithstanding any general or special law to the contrary, the executive  
2468 office of health and human services, acting in its capacity as the single state agency under  
2469 Title XIX of the Social Security Act and as the principal agency for all of the agencies  
2470 within the executive office and other federally-assisted programs administered by the  
2471 executive office, may enter into interdepartmental services agreements with the  
2472 University of Massachusetts medical school to perform activities that the secretary of  
2473 health and human services, in consultation with the comptroller, determines appropriate  
2474 and within the scope of the proper administration of said Title XIX and other federal  
2475 funding provisions to support the programs and activities of the executive office. The  
2476 activities may include: (1) providing administrative services including, but not limited to,  
2477 providing the medical expertise to support or administer utilization management  
2478 activities, determining eligibility based on disability, supporting case management  
2479 activities and similar initiatives; (2) providing consulting services related to quality  
2480 assurance, program evaluation and development, integrity and soundness and project  
2481 management; and (3) providing activities and services for the purpose of pursuing federal  
2482 reimbursement or avoiding costs, third-party liability and recouping payments to third  
2483 parties. Federal reimbursement for any expenditures made by the University of  
2484 Massachusetts medical school relative to federally-reimbursable services the university  
2485 provides under these interdepartmental service agreements or other contracts with the  
2486 executive office shall be distributed to the university and recorded distinctly in the state  
2487 accounting system. The secretary may negotiate contingency fees for activities and  
2488 services related to pursuing federal reimbursement or avoiding costs and the comptroller  
2489 shall certify these fees and pay them upon the receipt of this revenue, reimbursement or  
2490 demonstration of costs avoided. Contracts for contingency fees shall not exceed 3 years

2491 and shall not be renewed without prior review and approval by the executive office for  
2492 administration and finance. The secretary shall not pay contingency fees in excess of  
2493 \$40,000,000 for state fiscal year 2012; provided, however, contingency fees paid to the  
2494 University of Massachusetts medical school under an interagency service agreement for  
2495 recoveries related to the special disability workload projects shall be excluded from that  
2496 \$40,000,000 limit for fiscal year 2012. The secretary of health and human services shall  
2497 submit to the secretary of administration and finance and the senate and house  
2498 committees on ways and means a quarterly report detailing the amounts of the  
2499 agreements, the ongoing and new projects undertaken by the university, the amounts  
2500 expended on personnel and the amount of federal reimbursement and recoupment  
2501 payments that the university collected.

2502 SECTION 165. Notwithstanding any general or special law to the contrary, on or before  
2503 October 3, 2011 and without further appropriation, the comptroller shall transfer from the  
2504 General Fund to the Health Safety Net Trust Fund, established in section 36 of chapter  
2505 118G of the General Laws, in this section called the fund, the greater of \$45,000,000 or  
2506 one-twelfth of the total expenditures to hospitals and community health centers required  
2507 pursuant to this act, for the purposes of making initial gross payments to qualifying acute  
2508 care hospitals for the hospital fiscal year beginning October 1, 2011. These payments  
2509 shall be made to hospitals before, and in anticipation of, the payment by hospitals of their  
2510 gross liability to the fund. The comptroller shall transfer from the fund to the General  
2511 Fund on or before June 30, 2012, the amount of the transfer authorized by this section  
2512 and any allocation of that amount as certified by the director of the health safety net  
2513 office.

2514 SECTION 166. (a) Notwithstanding any general or special law to the contrary and  
2515 except as provided in subsection (b), an eligible individual pursuant to section 3 of  
2516 chapter 118H of the General Laws shall not include a person who is not eligible to  
2517 receive federally-funded benefits under sections 401, 402 or 403 of the Personal  
2518 Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193,  
2519 as amended, for fiscal year 2012.

2520 (b) Notwithstanding any general or special law to the contrary, the secretary of  
2521 administration and finance, the secretary of health and human services and the executive  
2522 director of the commonwealth health insurance connector authority may, in their  
2523 discretion and subject only to the terms and conditions in this subsection, establish or  
2524 designate a health insurance plan in which a person who is not eligible to receive  
2525 federally-funded benefits under said sections 401, 402 or 403 of the Personal  
2526 Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,  
2527 as amended, but who is an eligible individual pursuant to said section 3 of said chapter  
2528 118H may enroll for the period including July 1, 2011 to June 30, 2012, inclusive. The  
2529 plan may be contracted for selectively from the health plans that contracted in fiscal year  
2530 2011 to provide insurance coverage to commonwealth care or MassHealth enrollees.  
2531 Notwithstanding any general or special law to the contrary, the secretary of  
2532 administration and finance, the secretary of health and human services and the executive  
2533 director of the commonwealth health insurance connector authority may, in their  
2534 discretion and subject only to the terms and conditions in this subsection, operate the plan

2535 using any additional resources in the Commonwealth Care Trust Fund established in  
2536 section 2000 of chapter 29 of the General Laws, including but not limited to, savings  
2537 from the procurement of the Commonwealth Care Program, increased cigarette tax  
2538 revenue and any surpluses in the Commonwealth Care Trust Fund from prior fiscal years.  
2539 Total state expenditures for providing coverage to all such persons, net of enrollee  
2540 contributions and any federal financial participation, shall not exceed resources available  
2541 in the trust fund not required to fund coverage of commonwealth care; provided that this  
2542 shall not result in a reduction of services to commonwealth care enrollees. Total state  
2543 appropriation to support coverage to all such persons shall not exceed \$42,000,000 for  
2544 fiscal year 2012. To the extent that additional federal financial participation becomes  
2545 available for paying the costs of such coverage, the secretary of administration and  
2546 finance may direct the comptroller to make such amounts available from the General  
2547 Fund for the purpose of paying for the costs of such coverage. If the secretary of  
2548 administration and finance, the secretary of health and human services and the executive  
2549 director of the commonwealth health insurance connector authority determine that the  
2550 projected costs of enrolling eligible individuals in such coverage in fiscal year 2012 will  
2551 exceed available funding, they may limit enrollment in such coverage. If the secretary of  
2552 administration and finance, the secretary of health and human services and the executive  
2553 director of the commonwealth health insurance connector authority are unable to  
2554 establish or designate a health insurance plan under this section, the secretary of  
2555 administration and finance may direct the comptroller to transfer up to \$42,000,000 from  
2556 the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund for the cost of  
2557 health safety net claims for these individuals.

2558 SECTION 167. Notwithstanding any general or special law to the contrary, the special  
2559 commission on civic engagement and learning, established under section 106 of chapter  
2560 182 of the acts of 2008, is hereby revived and continued; provided, however, that the  
2561 commission shall report to the general court the results of its investigation and study and  
2562 its recommendations, if any, together with drafts of legislation necessary to carry out its  
2563 recommendations, by filing the same with the clerks of the senate and the house and the  
2564 joint committee on education on or before December 31, 2012.

2565 SECTION 168. Notwithstanding any general or special law to the contrary, the state  
2566 comptroller shall grant a 1-time waiver or exemption from applicable charges or  
2567 assessments made against grants disbursed from the Enhanced 911 Fund to the Berkshire  
2568 sheriff's department regional 911 communications center pursuant to its authority under  
2569 sections 5D and 6B of chapter 29 of the General Laws; provided, however, that a waiver  
2570 or exemption shall not be granted without the written approval of the secretary of  
2571 administration and finance.

2572 SECTION 169. Notwithstanding any general or special law to the contrary, the  
2573 comptroller shall, in consultation with the commissioner of mental health, transfer  
2574 \$10,000,000 from trust funds established pursuant to section 16 of chapter 19 of the  
2575 General Laws to the General Fund within 30 days from the effective date of this act.

2576 SECTION 170. Notwithstanding any general or special law to the contrary, the funds and  
2577 associated interest transferred to the former Massachusetts Turnpike Authority in item

2578 1599-1975 of section 2 of chapter 192 of the acts of 2006 shall be transferred to the  
2579 General Fund by the Massachusetts Department of Transportation; provided, however,  
2580 that any transfer under this section shall be made by the comptroller in accordance with a  
2581 transfer schedule to be developed by the comptroller, after consulting with the secretary  
2582 of transportation, the secretary of administration and finance and the state treasurer. All  
2583 transfers under the schedule shall be completed on or before September 30, 2011.

2584 SECTION 171. (a) Notwithstanding any general or special law to the contrary, after  
2585 complying with clause (a) of section 5C of chapter 29 of the General Laws, the  
2586 comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal  
2587 year 2011 as follows: (i) the comptroller shall transfer \$10,000,000 from the General  
2588 Fund to the Massachusetts Life Sciences Investment Fund established by section 6 of  
2589 chapter 23I of the General Laws; and (ii) the remaining balance shall be transferred from  
2590 the General Fund to the Commonwealth Stabilization Fund.

2591 (b) All transfer pursuant to this section shall be made from the undesignated fund  
2592 balances in the budgetary funds proportionally from the undesignated fund balances;  
2593 provided, however, that no such transfer shall cause a deficit in any of the funds.

2594 SECTION 172. Notwithstanding any general or special law to the contrary, the  
2595 department of correction shall reprocore all food, commissary and medical services  
2596 provided at all institutions. The department shall solicit new bids for such services in  
2597 accordance with applicable state law and may utilize alternative procurement methods  
2598 including, but not limited to, specialized vendor prequalification, cooperative  
2599 procurements, competitive negotiations and brand name solicitations; provided, further,  
2600 that in executing the reprocorement of such services, the department shall notify the  
2601 sheriffs in each of the departments of the county sheriffs who may elect to participate in  
2602 the reprocorement for such services.

2603 SECTION 173. Notwithstanding any general or special law to the contrary, the term of  
2604 the sitting members of the committee for public counsel services shall expire 90 days  
2605 after the effective date of this act. The governor, the senate president, the speaker of the  
2606 house of representatives and the justices of the supreme judicial court shall make their  
2607 appointments to the committee within the 90 days; provided, however, that of the  
2608 members initially appointed, 2 shall be appointed by the governor for terms of 1 year, 2  
2609 shall be appointed by the speaker for terms of 2 years, 2 shall be appointed by the senate  
2610 president for terms of 2 years and 9 shall be appointed by the justices of the supreme  
2611 judicial court for terms of 4 years. Nothing in this section shall preclude the  
2612 reappointment of a sitting member of the committee.

2613 SECTION 174. Notwithstanding the provisions of section 41C of chapter 7 or any  
2614 general or special law to the contrary, in the interest of providing immediate and cost-  
2615 effective office space, the committee for public counsel services, established under  
2616 chapter 211D of the General Laws, may lease buildings and land owned by a county, city  
2617 or town, or public and private entity to provide suitable quarters and space for committee  
2618 personnel and necessary related activities such as parking; provided, however, that the  
2619 division of capital asset management and maintenance shall identify any office space that

2620 may be vacated by the staffing plan implemented pursuant to item 0321-1500 and shall  
2621 prioritize use for committee personnel. The chief counsel shall be responsible for  
2622 negotiating leases between the committee and other parties; provided, however, that prior  
2623 to the signing of any agreement, the terms of the lease shall be submitted to the division  
2624 of capital asset management and maintenance for review and comment. No payments for  
2625 rent shall exceed the prevailing rent a commercial establishment would pay for  
2626 comparable space in that geographic area, excluding that portion of said prevailing rent  
2627 attributable to property taxes. Every county, city, or town which receives rental  
2628 payments pursuant to this section shall submit a schedule to the committee and the  
2629 division detailing the cost of maintenance, repairs, utilities and debt service on the rented  
2630 facilities.

2631 SECTION 175. Notwithstanding any general or special law to the contrary, there shall be  
2632 a commission to study the feasibility of providing home mortgage refinancing assistance  
2633 to non-delinquent homeowners. The commission shall consist of the following members:  
2634 the executive director of Massachusetts Housing Finance Agency, who shall serve as  
2635 chair of the commission; the state treasurer or a designee; the senate chair of the joint  
2636 committee on financial services; the house chair of the joint committee on financial  
2637 services; a member to be appointed by the house minority leader; a member to be  
2638 appointed by the senate minority leader; the commissioner of banks or a designee; and 2  
2639 members appointed by the governor, , 1 of whom shall be a representative of the  
2640 Massachusetts credit union league and 1 of whom shall be a representative of the  
2641 Massachusetts bankers association. The commission shall conduct a comprehensive  
2642 review and evaluation of providing refinancing assistance for residents of the  
2643 Commonwealth who, due in part to a loss of income, a depreciation in the value of their  
2644 real estate, or the current refinancing exposure criteria as established by the Federal  
2645 National Mortgage Association and the Federal Home Loan Mortgage Corporation, are  
2646 unable to refinance at a lower market interest rate. The commission's study shall include,  
2647 but may not be limited to, the feasibility of establishing a fund encumbered by the  
2648 commonwealth to be pledged to the Massachusetts Housing Finance Agency as a  
2649 mortgage refinance guarantee. The commission shall submit its findings and  
2650 recommendations, together with drafts of legislation or regulations necessary to carry  
2651 those recommendations into effect by filing the same with the governor, the clerks of the  
2652 house of representatives and senate, and the joint committee on financial services, on or  
2653 before December 31, 2012.

2654 SECTION 176. The commissioner of probation shall examine the costs and feasibility of  
2655 establishing an indigency verification system that would determine whether a person is  
2656 indigent pursuant to section 2A of chapter 211D of the General Laws the same day of a  
2657 person's claim of indigency. The commissioner shall report the costs associated with the  
2658 implementation of such a system and any other recommendations to the house and senate  
2659 committees on ways and means on or before December 31, 2011.

2660 SECTION 177. The office of the commissioner of probation, the department of revenue  
2661 and the department of transitional assistance shall enter into a memorandum of  
2662 understanding, which may be amended from time to time, establishing an electronic



verification system, capable of verifying, within 7 business days of appointment of counsel, a person's claim of indigency, based on wage, tax and asset information. A copy of the memorandum of understanding shall be submitted to the clerks of the house of representatives and senate not later than October 31, 2011.

SECTION 178. The department of public health, in consultation with the board of registration in pharmacy, shall provide to the joint committee on health care financing and the joint committee on public health, on or before April 1, 2012, a report with any legislative recommendations relative to issues of implementing the programs established under subsection (p) of section 70E of chapter 111 of the General Laws and section 25I of said chapter 111, including, but not limited to, savings and costs related to the implementation of the programs established and recommendations related to penalties for violations of subsection (p) of section 70E of said chapter 111 and section 25I of said chapter 111.

SECTION 179. Notwithstanding any general or special law to the contrary, the department of public health, in consultation with the department of environmental protection, shall make an investigation and study regarding the issue of pharmaceutical drug waste and its effect on the environment in the commonwealth. The department shall report on the following: (1) the estimated quantity of pharmaceutical drug waste in the commonwealth; (2) the quantity of such waste that may be recovered prior to disposal; (3) the methods and techniques used in other states or local governments to reduce the amount of pharmaceutical drug waste and identify model programs used to recover or recycle such waste; and (4) the efforts of pharmaceutical drug industry to mitigate waste through consumer support or take-back programs. The department shall make recommendations, consistent with its report, regarding: (1) the feasibility of expanding a drug recycling program similar to that prescribed in section 25I of chapter 111 of the General Laws to all consumers; (2) the feasibility of adopting similar programs adopted by other states or local governments to reduce drug waste; and (3) the feasibility of the department assisting municipal governments to establish local programs to reduce such waste. The department shall make its report and recommendations, together with legislation to implement those recommendations, by filing the same with the clerks of the senate and house on or before April 1, 2012.

SECTION 180. (a) The University of Massachusetts at Boston, through its office of dispute resolution, shall conduct a study of the effectiveness of community mediation to broaden public access to dispute resolution. The study shall inform state-level planning and decision-making to support and build upon existing infrastructure and enable investment in sustainable community mediation programming within the commonwealth in the coming years. For purposes of this study, "community mediation" shall mean mediation service programs of a private non-profit or public agency that: (i) use trained community volunteers and serve the public regardless of ability to pay; (ii) promote collaborative community relationships and public awareness; and (iii) provide a dispute resolution forum and alternative to the judicial system at any stage of a conflict.

(b) The study shall include, but not be limited to:

2705 (i) a review of community mediation research, studies and data within the commonwealth  
2706 and other states and countries in order to identify cost savings and economic, social,  
2707 health and environmental benefits from community mediation, in some or all of the  
2708 following areas: civil small claims and consumer disputes; family, divorce, child custody  
2709 and visitation disputes; permanency and open adoption cases; landlord-tenant disputes  
2710 and housing foreclosure cases; neighborhood conflicts around noise and property  
2711 boundaries; school-related disputes; minor criminal and victim-offender restorative  
2712 justice cases; interpersonal workplace disputes; and large-group disputes around public  
2713 policy, environmental and community issues;

2714 (ii) a review and assessment of the historic and current legislative and public funding  
2715 structures for community mediation within the commonwealth;

2716 (iii) a review of successful models for public funding of community mediation in other  
2717 states and recommendations for potential applicability to the commonwealth;

2718 (iv) preliminary design of a state-of-the-art performance-based community mediation  
2719 funding framework within the commonwealth for state appropriations, government grants  
2720 and private foundation awards that support programming where there is an identifiable  
2721 public nexus;

2722 (v) recommendations for the infrastructure and resources needed to oversee and  
2723 administer such a funding framework and recommendations for implementation steps and  
2724 timeframes; and

2725 (vi) recommendations for the establishment of an inter-governmental and cross-sector  
2726 advisory committee to oversee implementation and administration of community  
2727 mediation funding and programming.

2728 (c) The study shall be completed and submitted to the chairs of the house and senate  
2729 committees on ways and means and the secretary of administration and finance on or  
2730 before January 1, 2012.

2731 SECTION 181. There shall be a special commission to conduct an investigation and  
2732 study of the incidence and impacts of Lyme disease and other tick-borne diseases in the  
2733 commonwealth including, but not limited to, anaplasmosis, babesiosis, bartonellosis, and  
2734 ehrlichiosis.

2735 The commission shall consist of 21 members: 3 members of the senate, 1 of whom shall  
2736 be appointed by the senate minority leader; 3 members of the house of representatives, 1  
2737 of whom shall be appointed by the house minority leader; the commissioner of the  
2738 department of public health or a designee; the commissioner of the division of health care  
2739 finance and policy or a designee; the director of the state laboratory institute or a  
2740 designee; the state epidemiologist or a designee; 2 public members who shall be patients  
2741 or family members of patients, 1 of whom shall be appointed by the senate and 1 of  
2742 whom shall be appointed by the house of representatives; and 9 members to be appointed  
2743 by the governor, 1 of whom shall be a physician specializing in infectious diseases, 1 of

whom shall be a professional member of the International Lyme and Associated Diseases Society, 2 of whom shall be experts in the treatment or research of Lyme disease, 2 of whom shall be members of Lyme and other tick-borne diseases organizations representing diverse regions of the commonwealth and 3 of whom shall be members of local boards of health from different Lyme endemic areas of the state.

The study shall include, but not be limited to, a cost-benefit analysis of: (i) conducting a Lyme disease public health clinical screening study in high risk regions; (ii) developing education materials and training resources for detecting signs and symptoms of tick-borne illnesses in school-aged populations, to be used by clinical providers and school health personnel; (iii) statewide surveillance and testing for tick-borne diseases in both Ixodes scapularis, or the black-legged deer tick, and Amblyomma americanum, or Lone Star ticks; and (iv) educating the medical community about research on all aspects of Lyme disease, both acute and chronic. The commission shall also investigate the availability of grants and federal funds for the study of Lyme disease and other tick-borne diseases to determine if future action is feasible and warranted to support Lyme and tick-borne diseases research in the commonwealth. The commission shall review mandatory reporting procedures to promote improved compliance both for CDC-positive and clinically diagnosed cases of Lyme disease and associated tick-borne co-infections.

The commission shall report the results of its investigation and study, together with drafts of legislation, if any, necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and house of representatives, who shall forward the same to the joint committee on public health and the house and senate committees on ways and means on or before April 1, 2012.

SECTION 182. Notwithstanding any general or special law to the contrary, the secretary of the Massachusetts Department of Transportation, in consultation with the commissioner of the division of capital asset management, shall study and assess the current market value of real property under the ownership, possession and control of the Massachusetts Department of Transportation, including, but not limited to, any land or buildings previously owned by the Massachusetts turnpike authority, and determine whether such assets are surplus to the operation of the Massachusetts Department of Transportation, as defined by section 1 of chapter 6C of the General Laws. The department shall submit the results of the study to the executive office for administration and finance and the house and senate committees on ways and means on or before July 1, 2012.

SECTION 183. Notwithstanding any general or special law to the contrary, the division of health care finance and policy shall, not later than June 30, 2012, ensure the following: (i) that Medicare-like claims editing is fully and effectively implemented and used to determine reimbursements from the Health Safety Net Trust Fund; and (ii) that claims editing is effectively used to reduce the occurrence of payments for medically unnecessary services, medically unlikely events, and duplicate services.

SECTION 184. (a) Notwithstanding any general or special law to the contrary, upon the request of the board of selectmen in a town, the city council in a city with a plan E form

2789 of government or the mayor in any other city, the department of revenue may recalculate  
2790 the minimum required local contribution, as defined in section 2 of chapter 70 of the  
2791 General Laws, in the fiscal year ending June 30, 2012. Based on the criteria established in  
2792 this section, the department shall recalculate the minimum required local contribution for  
2793 a municipality's local and regional schools and shall certify the amounts calculated to the  
2794 department of elementary and secondary education.

2795 (b) A city or town that used qualifying revenue amounts in a fiscal year which are not  
2796 available for use in the next fiscal year or that shall be required to use revenues for  
2797 extraordinary non school-related expenses for which it did not have to use revenues in the  
2798 preceding fiscal year or that has an excessive certified municipal revenue growth factor  
2799 which is also greater than or equal to 1.5 times the state average municipal revenue  
2800 growth factor may appeal to the department of revenue not later than October 1, 2011, for  
2801 an adjustment of its minimum required local contribution and net school spending.

2802 (c) If an appeal is determined to be valid, the department of revenue may reduce  
2803 proportionately the minimum required local contribution amount based on the amount of  
2804 shortfall in revenue or based on the amount of increase in extraordinary expenditures in  
2805 the current fiscal year, but no adjustment to the minimum required local contribution on  
2806 account of an extraordinary expense in the budget for the fiscal year ending June 30,  
2807 2012, shall affect the calculation of the minimum required local contribution in  
2808 subsequent fiscal years. Qualifying revenue amounts shall include, but not be limited to,  
2809 extraordinary amounts of free cash, overlay surplus and other available funds.

2810 (d) If upon submission of adequate documentation, the department of revenue determines  
2811 that the municipality's appeal regarding an excessive municipal revenue growth factor is  
2812 valid, the department shall recalculate the municipal revenue growth factor and the  
2813 department of elementary and secondary education shall use the revised growth factor to  
2814 calculate the preliminary local contribution, the minimum required local contribution and  
2815 any other factor that directly or indirectly uses the municipal revenue growth factor. Any  
2816 relief granted as a result of an excessive municipal revenue growth factor shall be a  
2817 permanent reduction in the minimum required local contribution.

2818 (e) The board of selectmen in a town, the city council in a city with a plan E form of  
2819 government, the mayor in any other city or a majority of the member municipalities of a  
2820 regional school district which used qualifying revenue amounts in a fiscal year that are  
2821 not available for use in the next fiscal year may appeal to the department of revenue not  
2822 later than October 1, 2011, for an adjustment to its net school spending requirement. If an  
2823 appeal is determined to be valid, the department of revenue shall reduce the net school  
2824 spending requirement based on the amount of the shortfall in revenue and reduce the  
2825 minimum required local contribution of member municipalities accordingly. Qualifying  
2826 revenue amounts shall include, but not be limited to, extraordinary amounts of excess and  
2827 deficiency, surplus and uncommitted reserves.

2828 (f) If the regional school budget has already been adopted by two-thirds of the member  
2829 municipalities then, upon a majority vote of the member municipalities, the regional  
2830 school committee shall adjust the assessments of the member municipalities in

2831 accordance with the reduction in minimum required local contributions approved by the  
 2832 department of revenue or the department of elementary and secondary education in  
 2833 accordance with this section.

2834 (g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any  
 2835 other general or special law to the contrary, the amounts determined pursuant to this  
 2836 section shall be the minimum required local contribution described in chapter 70 of the  
 2837 General Laws. The department of revenue and the department of elementary and  
 2838 secondary education shall notify the house and senate committees on ways and means  
 2839 and the joint committee on education of the amount of any reduction in the minimum  
 2840 required local contribution amount.

2841 (h) If a city or town has an approved budget that exceeds the recalculated minimum  
 2842 required local contribution and net school spending amounts for its local school system or  
 2843 its recalculated minimum required local contribution to its regional school districts as  
 2844 provided in this section, the local appropriating authority shall determine the extent to  
 2845 which the community shall avail itself of any relief authorized by this section.

2846 (i) The amount of financial assistance due from the commonwealth in fiscal year 2012  
 2847 pursuant to chapter 70 of the General Laws or any other law shall not be changed on  
 2848 account of any redetermination of the minimum required local contribution pursuant to  
 2849 this section.

2850 (j) The department of revenue and the department of elementary and secondary education  
 2851 shall issue guidelines for their respective duties pursuant to this section

2852 SECTION 185. There shall be established a commission to investigate and report on  
 2853 current funding levels and municipal contractual obligations established by section 108L  
 2854 of chapter 41 of General Laws, known as the police career incentive pay program. The  
 2855 commission shall be composed of 7 members, 1 appointed by the speaker of the house of  
 2856 representatives, 1 appointed by the senate president, 1 appointed by the minority leader of  
 2857 the house of representatives, 1 appointed by the minority leader of the senate, the  
 2858 secretary of the executive office public safety and security, a representative from the  
 2859 Massachusetts chiefs of police association and a representative from the Massachusetts  
 2860 municipal association. The commission shall file a report with its findings and any  
 2861 legislative recommendations with the house and senate clerks on or before April 30,  
 2862 2012.

2863 SECTION 186. Notwithstanding clause (xxiii) of the third paragraph of section 9 of  
 2864 chapter 211B of the General Laws or any other general or special law to the contrary, the  
 2865 chief justice for administration and management may, from the effective date of this act  
 2866 through April 30, 2012, transfer funds from any item of appropriation within the trial  
 2867 court; provided, however, that the chief justice for administration and management may  
 2868 transfer not more than 5 per cent of funds from each of the items 0339-1001, and 0339-  
 2869 1003, to any other item of appropriation within the trial court. These transfers shall be  
 2870 made in accordance with schedules submitted to the house and senate committees on  
 2871 ways and means. The schedule shall include: (1) the amount of money transferred from

2872 any item of appropriation to any other item of appropriation; (2) the reason for the  
2873 necessity of the transfer; and (3) the date on which the transfer shall be completed. A  
2874 transfer under this section shall not occur until 10 days after the revised funding  
2875 schedules have been submitted in written form to the house and senate committees on  
2876 ways and means.

2877 SECTION 187. Notwithstanding any general or special law to the contrary, subject to  
2878 appropriation, the Cape Cod Commission or its designee, with assistance from the Cape  
2879 Cod public water purveyors and local assessors, shall compile relevant land use data in  
2880 each town and water usage in Cape Cod area water districts.

2881 These data shall be used by the Cape Cod Commission or its designee to conduct a build-  
2882 out analysis for Cape Cod for the purposes of, but not limited to: (i) identifying  
2883 opportunities to save an estimated \$2,000,000,000 to provide wastewater treatment for  
2884 existing development by pursuing regional wastewater treatment solutions; (ii)  
2885 identifying high density development in nitrogen-sensitive watersheds that cross town  
2886 boundaries to provide an opportunity to develop multi-town infrastructure resulting in  
2887 savings to taxpayers to be in compliance with the United States Environmental Protection  
2888 Agency; and (iii) identifying the costs of providing wastewater treatment for new growth,  
2889 under different growth scenarios, and provide decision makers with the tools to make  
2890 informed decisions about the cost of promoting new growth in various locations. Such  
2891 analysis shall be eligible to receive funds from the commonwealth provided any such  
2892 funds are matched with local funds.

2893 Results of the analysis shall be made public and shall provide a model for communities to  
2894 pursue regional wastewater options that satisfy environmental regulatory requirements in  
2895 the most efficient and cost effective manner.

2896 SECTION 188. On or before January 1, 2012, each sheriff shall, in consultation with the  
2897 comptroller, report to the house and senate committees on ways and means and the  
2898 secretary of administration and finance all funding sources, excluding state  
2899 appropriations, for fiscal year 2011. The report shall include, but not be limited to, all  
2900 monies from: (1) gifts, grants and donations from public or private sources; (2) federal  
2901 reimbursements and grants; (3) interest earned on accounts; (4) sales of surplus real or  
2902 personal property; (5) revenues generated by commissary accounts used for the sale or  
2903 purchase of goods or services to persons in correctional facilities; (6) gifts, grants,  
2904 donations, reimbursements or other revenues carried over from prior fiscal years; (7)  
2905 revenues derived from the service of process and enforcement of court judgments under  
2906 chapter 37 of the General Laws and chapter 224 of the General Laws; and (8) revenues  
2907 derived from contracts or other agreements with public or private entities, including  
2908 contracts with the office of probation pursuant to chapter 211F of the General Laws. The  
2909 report shall detail the amount of funds collected and expended, and shall include the  
2910 criteria used to expend the funds.

2911  
2912 SECTION 189. There shall be a special commission to study the commonwealth's  
2913 criminal justice system, to consist of: the secretary of public safety and security, who  
2914 shall serve as the chair; the attorney general or a designee; the chief justice of the

2915 supreme judicial court or a designee; the president of the Massachusetts Sheriffs  
2916 Association or a designee; the president of the Massachusetts District Attorneys  
2917 Association or a designee; the chief counsel of the committee for public counsel services  
2918 or a designee; a representative from the Massachusetts Bar Association; a representative  
2919 from the Boston Bar Association; a representative from the Massachusetts Association of  
2920 Criminal Defense Lawyers; 3 members of the house of representatives, 1 of whom shall  
2921 be appointed by the minority leader; 3 members of the senate, 1 of whom shall be  
2922 appointed by the minority leader; and 3 persons to be appointed by the governor, 1 of  
2923 whom shall have experience in mental health and substance abuse and addiction  
2924 treatment, 1 of whom shall have experience in providing services or supervision for  
2925 offenders, and 1 of whom shall have experience in juvenile justice.

2926 In reviewing the commonwealth's criminal justice system, the commission shall examine  
2927 a variety of areas including, but not limited to: the prisoner classification systems,  
2928 mandatory minimum sentences, sentencing guidelines, the provision of cost-effective  
2929 corrections' healthcare, the probation system, the parole system, the operations of the  
2930 sheriffs' offices, overcrowding in prisons and houses of correction, recidivism rates, the  
2931 treatment of juveniles within the criminal justice system, the role that mental health and  
2932 substance abuse issues play, and best practices for reintegrating prisoners into the  
2933 community.

2934 The commission shall investigate the feasibility of developing an application for  
2935 technical assistance from nationally recognized criminal justice reform programs with a  
2936 data driven approach in order to develop bipartisan legislation that would reduce  
2937 corrections spending and utilize the savings to reduce crime, strengthen public safety and  
2938 fund other budget priorities; provided, however, that the commission shall give priority in  
2939 applying for technical assistance to that which comes at no cost to the commonwealth.

2940 The commission shall have access to information related to both adults and juveniles  
2941 including, but not limited to, crime, arrest, conviction, jail, prison and probation and  
2942 parole supervision data provided by state and local agencies. As necessary, the  
2943 commission shall: (i) meet with other affected stakeholders; (ii) partner with  
2944 nongovernmental organizations that have expertise that can benefit the commission; and  
2945 (iii) create advisory subgroups that include affected stakeholders as necessary.

2946 The commission shall convene its first official meeting on or before September 1, 2011.  
2947 The commission shall submit to the house and senate committees on ways and means, the  
2948 joint committee on the judiciary, the joint committee on public safety and homeland  
2949 security and the secretary of administration and finance quarterly reports that include the  
2950 dates of its meetings, meeting participants not named to the commission and whether it  
2951 has identified, applied for or been selected for any federal or other funds.

2952 The commission shall issue a report on or before March 31, 2012, which shall include  
2953 recommendations for legislation to reduce recidivism, improve overall public safety  
2954 outcomes, provide alternatives for drug addicted and mentally ill defendants, increase  
2955 communication and cooperation among public safety entities, reduce overcrowding of  
2956 facilities, increase reliance upon evidence-based criminal justice methods, improve the

2957 collection and reporting of data on adults and juveniles, contain correction costs and  
2958 otherwise increase efficiencies within the state's public safety entities.

2959 SECTION 190. (a) There shall be a special commission to investigate and study the need  
2960 to incentivize the commonwealth's college scholarship system. The commission shall  
2961 consist of: the speaker of the house of representatives, or a designee thereof; the president  
2962 of the senate, or a designee thereof; the minority leader of the house of representative, or  
2963 a designee thereof; the minority leader of the senate, or a designee thereof; the house  
2964 chair of the joint committee on higher education, or a designee thereof; the senate chair of  
2965 the joint committee on higher education, or a designee thereof; the secretary of education,  
2966 or a designee thereof; the commissioner of higher education, or a designee thereof; the  
2967 executive director of the Massachusetts Educational Financing Authority, or a designee  
2968 thereof; and 6 persons appointed by the governor, 1 of whom shall be a representative  
2969 from the University of Massachusetts; 1 of whom shall be a representative from the  
2970 commonwealth's universities; 1 of whom shall be a representative from the  
2971 commonwealth's community colleges; 1 of whom shall be a representative from the  
2972 Association of Independent Colleges and Universities in Massachusetts; 1 of whom shall  
2973 be a representative from the Massachusetts Bankers Association; and 1 of whom shall be  
2974 a representative from Families United in Educational Leadership.

2975 (b) The special commission shall make an investigation and study of the scholarship  
2976 programs that provide financial assistance to Massachusetts students enrolled in, or  
2977 pursuing, a program of higher education at any approved public or independent college,  
2978 university, school of nursing or any other approved institution furnishing a program of  
2979 higher education and shall focus on students with little or no family history of college  
2980 attendance. The study shall examine methods that have been used in the commonwealth  
2981 and other states to better prepare such students for college. The study shall include, but  
2982 not be limited to, the examination of voluntary college savings programs focused on the  
2983 needs of such families; the possible use of federally matched independent development  
2984 accounts; the impact of committing scholarship funds to students prior to the twelfth  
2985 grade; the need for a pilot program for ninth, tenth, eleventh and twelfth grade students in  
2986 up to 5 public school districts to encourage family engagement and student academic  
2987 achievement through the use of scholarships, in conjunction with family savings for  
2988 college; and potential additional funding sources for a college savings matching program  
2989 with priority placed on financial matches that have no additional cost to the  
2990 commonwealth.

2991 (c) The commission shall submit the results of its investigation and study and its  
2992 recommendations, if any, with the clerks of the senate and house of representatives who  
2993 shall forward the same to the joint committee on higher education and the senate and  
2994 house committees on ways and means not later than December 31, 2012.

2995 SECTION 191. Notwithstanding any general or special law, rule or regulation or  
2996 performance standard to the contrary and in order to promote the protection of shorelines,  
2997 coastal banks and beaches and coastal properties from the growing dangers of coastal  
2998 erosion and to further gain experience necessary for the evaluation of innovative coastal  
2999 protection technologies that have not previously been used in the commonwealth, the



3000 department of environmental protection may issue required permits, certifications or  
3001 approvals for not more than 2 pilot projects to deploy a coastal bank and beach protection  
3002 technology; provided, however, that 1 project shall be conducted on the coast located  
3003 north of the city of Boston and 1 project shall be conducted on the coast south of the city  
3004 of Boston; provided further, that such pilot projects shall be required to seek and obtain  
3005 all permits, certifications or approvals otherwise required by law, subject to the  
3006 modifications authorized by this section; and provided further, that the pilot projects shall  
3007 be required to comply with existing laws, rules and regulations, performance standards  
3008 and requirements to the maximum extent feasible. In issuing such permits, certifications  
3009 or approvals, the department of environmental protection may issue reasonable permit  
3010 conditions to minimize adverse impacts from the construction and operation of the pilot  
3011 projects and to protect down-drift properties and property owners including, but not  
3012 limited to, conditions requiring the pilot project's owners and operators to indemnify  
3013 others for any property damage caused by the pilot project or requiring the establishment  
3014 of a financial assurance mechanism to provide funds for the costs of decommissioning  
3015 the pilot project or for repairing any property damage caused by the pilot project. The  
3016 department of environmental protection, in conjunction with the office of coastal zone  
3017 management in the executive office of energy and environmental affairs, shall monitor  
3018 the success of the pilot projects undertaken pursuant to this section and shall report its  
3019 findings and recommendations for further regulatory or statutory changes to promote the  
3020 use of innovative coastal protection technologies to the joint committee on environment,  
3021 natural resources and agriculture not later than 2 years after the deployment of each pilot  
3022 project.

3023 SECTION 192. Notwithstanding any general or special law to the contrary, all  
3024 secretariats, departments and agencies required to report under this act shall file their  
3025 reports by the dates required in this act via electronic means to the chairs of any  
3026 committees named as recipients as well as with the clerks of the senate and the house of  
3027 representatives; provided, however, that the house and senate clerks shall develop  
3028 procedures and requirements for secretariats, departments and agencies for the  
3029 preparation of the reports to facilitate their collection and storage and such reports shall  
3030 be made available to the public via the general court's website.

3031 SECTION 193. Notwithstanding any general or special law or rule or regulation to the  
3032 contrary, all branches of government, and all agencies, departments, quasi-state agencies  
3033 or entities of the commonwealth required by law to file annual, semiannual, quarterly or  
3034 financial reports shall make any such report available online in searchable format and  
3035 shall provide an electronic copy of the report to the clerks of the senate and house of  
3036 representatives. All reports shall be conspicuous and accessible online in searchable  
3037 format through the general court's website and there shall be an archive of all reports  
3038 available online in searchable format. An entity that is required by law to receive such  
3039 report shall be notified by written hard copy format from the reporting entity of the  
3040 availability of such report online in searchable format and the means of accessing the  
3041 report. An agency, department, quasi-state agency or any other entity of the  
3042 commonwealth shall provide a copy in hard copy format of any report upon request.  
3043 Compliance with this section shall fulfill any filing requirements established by any  
3044 general or special law.

SECTION 194. There shall be a special commission to identify women who have made an extraordinary contribution to the commonwealth and offer recommendations on providing appropriate recognition for these women in the State House. The commission shall consist of 3 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 3 members of the senate, 1 of whom shall be appointed by the minority leader; and 2 persons to be appointed by the governor. The commission shall issue a report of its findings to the clerks of the house of representatives and senate by December 31, 2011.

SECTION 195. Notwithstanding any general or special law to the contrary, the department of higher education, the department of labor and workforce development, and the department of elementary and secondary education shall meet and confer concerning the United States Department of Labor Trade Adjustment Assistance Community College and Career Training Grant, or the Massachusetts Community College Consortium Proposal, and file a report and recommendations for sustainability of funding for the program by the commonwealth with the house and senate committees on ways and means not later than October 1, 2011.

SECTION 196. Notwithstanding any general or special law to the contrary, the executive office of health and human services shall request a written opinion from the federal Centers for Medicare and Medicaid Services regarding the availability of a waiver to allow individuals qualifying for Medicaid and entering a nursing home to provide a living allowance and an asset waiver for dependent adult children when there is no living community spouse as defined under 42 U.S.C. section 1396r-5. The executive office shall report to the house and senate committees on ways and means not later than February 1, 2012 on the availability of a waiver and, if applicable, the estimated net state cost of a waiver that would allow individuals qualifying for Medicaid and entering a nursing home to provide a living allowance and asset waiver for dependent adult children when there is no living community spouse.

SECTION 197. A local board of health in a city or town with a population of more than 150,000 shall not prohibit the operation of smoking bars licensed to operate as of January 1, 2011, as long as they continue to comply with applicable state and local laws in effect as of January 1, 2011.

SECTION 198. Notwithstanding any general or special law to the contrary, 50 per cent of any of the unexpended and unencumbered balances of appropriations on June 30, 2011, or \$65,000,000, whichever is less, shall be distributed to cities and towns in accordance with the distribution of the balance of the State Lottery Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws. The distribution authorized by this section shall be executed not later than October 31, 2011; provided further, that any funds distributed under this section shall be considered one-time funding, and shall not be considered part of a municipality's Unrestricted General Government Aid in fiscal year 2011 and 2012; provided further, the distribution shall in no way constitute a new and continuing funding source for cities and towns.

3087 SECTION 199. Notwithstanding any general or special law to the contrary, an  
3088 appropriate public authority that implements changes to health insurance benefits  
3089 pursuant to sections 22 and 23 of chapter 32B of the General Laws shall delay  
3090 implementation of such changes, as to those subscribers covered by a collective  
3091 bargaining agreement or section 19 agreement that is in effect on the date of  
3092 implementation of such changes, of any changes to the dollar amounts of copayments,  
3093 deductibles or other plan design features that are inconsistent with any dollar limits on  
3094 copayments, deductibles or other plan design features that are specifically included in the  
3095 body of that collective bargaining agreement or section 19 agreement, until the initial  
3096 term stated in that collective bargaining agreement or section 19 agreement has ended.

3097 SECTION 200. Nothing in this act shall be construed to alter, amend or affect chapter 36  
3098 of the acts of 1998, chapter 423 of the acts of 2002, chapter 27 of the acts of 2003 or  
3099 chapter 247 of the acts of 2004.

3100 SECTION 201. Notwithstanding any general or special law to the contrary, the group  
3101 insurance commission shall prescribe procedures to permit a political subdivision to  
3102 transfer all subscribers for whom it provides health insurance coverage to the commission  
3103 on or before January 1, 2012, if such political subdivision provides notice to the group  
3104 insurance commission on or before September 1, 2011, that it is transferring its  
3105 subscribers to the group insurance commission under sections 19 or 23 of chapter 32B of  
3106 the General Laws; provided further, the commission shall also prescribe procedures to  
3107 permit a political subdivision to transfer all subscribers for whom it provides health  
3108 insurance coverage to the commission on or before April 1, 2012, if such political  
3109 subdivision provides notice to the group insurance commission on or before December 1,  
3110 2011, that it is transferring its subscribers to the group insurance commission under said  
3111 sections 19 or 23 of said chapter 32B; provided further, the commission shall also  
3112 prescribe procedures to permit a political subdivision to transfer all subscribers for whom  
3113 it provides health insurance coverage to the commission on or before July 1, 2012, if such  
3114 political subdivision provides notice to the group insurance commission on or before  
3115 March 1, 2012, that it is transferring its subscribers to the group insurance commission  
3116 under said sections 19 or 23 of said chapter 32B.

3117 SECTION 202. Notwithstanding any general or special law to the contrary, unless  
3118 otherwise agreed, a governmental unit transferring its subscribers to the group insurance  
3119 commission under section 23 of chapter 32B of the General Laws shall use current  
3120 contribution ratios in existence for each class of plan for each collective bargaining unit  
3121 in order to transfer to the commission. If a governmental unit was not offering both a  
3122 preferred provider organization plan or an indemnity plan on the date of transfer to the  
3123 commission, the governmental unit's initial contribution ratio toward the commission's  
3124 preferred provider organization plans and indemnity plans shall be the ratio that the  
3125 governmental unit was contributing toward its preferred provider organization plan or  
3126 indemnity plan for each collective bargaining unit on that date. Except as specifically  
3127 provided in this section, all contribution ratios shall remain subject to bargaining pursuant  
3128 to chapter 32B of the General Laws and chapter 150E of the General Laws.  
3129

3130 SECTION 203. Notwithstanding the provisions of any general or special law to the  
3131 contrary, the division of medical assistance and the division of health care finance and  
3132 policy shall make no changes prior to December 31, 2011 in the clinical eligibility or  
3133 level of reimbursement paid to providers of adult day health services for basic and  
3134 complex levels of care.

3135 Contingent upon receiving any applicable approval from the Federal Centers for  
3136 Medicare and Medicaid Services, the executive office of health and human services is  
3137 further directed to implement a temporary moratorium effective with the passage of this  
3138 legislation on the acceptance and approval of applications for (i) enrollment of new adult  
3139 day health providers and (ii) expansion of the certified capacity of already approved adult  
3140 day health providers as provided in 130 C.M.R. 404.400 et seq. This moratorium shall  
3141 not apply to Programs of All-Inclusive Care for the Elderly (PACE) as established in 42  
3142 US Code Section 1894.

3143 Such moratorium shall remain in effect until such time as the Secretary of Health and  
3144 Human Services and the Secretary of Elder Affairs jointly complete a comprehensive  
3145 study in consultation with representatives of House and Senate Ways and Means  
3146 Committee, the Joint Committee on Elder Affairs and the Joint Committee on Health  
3147 Care Financing as well as the Massachusetts Adult Day Services Association and other  
3148 interested parties. The study shall make recommendations regarding licensure and other  
3149 means to ensure an appropriate level of high quality adult day health care. In addition the  
3150 study shall make recommendations updating the basis for the current rate structure by  
3151 developing a model for imputing actual costs into the rate structure and the overall  
3152 financing structure of Adult Day Services. In addition the study shall assess the current  
3153 manner of categorizing clients as basic or complex. The study shall also assess the  
3154 commonwealth's current and future adult day health services needs and recommend  
3155 needed changes these needs require.

3156 The final study and recommendations shall be reported to the House and Senate  
3157 committees on ways and means, the joint committee on elder affairs and the joint  
3158 committee on health care financing no later than December 31, 2011. If that date is not  
3159 met, the moratorium shall stay in effect until 90 days after the report is submitted.  
3160 The division of medical assistance and the division of health care finance and policy shall  
3161 take immediate steps, on the enactment of this legislation, to terminate reimbursement for  
3162 the Health Promotion and Prevention level of care pursuant to a transition plan developed  
3163 by the division of medical assistance for affected members.

3164 Notwithstanding the provision of any general or special law to the contrary, the division  
3165 of health care financing and policy and the division of medical assistance shall collect  
3166 any outstanding cost reports from adult day health programs and shall review said cost  
3167 reports and take any action as required or allowed by 114 C.M.R. 10.04.

3168 SECTION 203A. Notwithstanding any general or special law to the contrary, the office  
3169 of Medicaid shall, within 8 months of the effective date of this act, develop regulations to  
3170 ensure that incentives or regulations are implemented to increase competition among

3171 MassHealth managed care organizations, reduce the size of some provider networks  
3172 offered by managed care organizations and reduce cost of managed care organizations.

3173 SECTION 204. The executive office of health and human services shall adopt regulations  
3174 to implement section 87 on or before December 31, 2011.

3175 SECTION 205. Subsection (b) of section 75 of chapter 303 of the acts of 2008 shall not  
3176 apply in fiscal year 2012.

3177 SECTION 206. Nothing in section 20 of chapter 32B of the General Laws shall affect the  
3178 validity of any action taken before July 1, 2011 by a city or town that authorizes the  
3179 contributory retirement system of which the employees of that city or town are members  
3180 to be the custodian of an Other Post-Employment Benefits Liability Trust Fund.

3181 SECTION 207. The provisions of subsections (a) and (b) of section 222 of chapter 111 of  
3182 the General Laws shall take effect 60 days after the promulgation of regulations by the  
3183 department of public health.

3184 SECTION 208. Section 66 shall apply to interest accruing on deficiency assessments  
3185 where the audit resulting in the deficiency assessment is commenced after the effective  
3186 date of this act.

3187 SECTION 209. Sections 67 and 68 shall apply to requests for refund or applications for  
3188 abatement filed with the commissioner on or after the effective date of this act; provided,  
3189 however, that sections 67 and 68 shall not apply with respect to tax periods where the  
3190 statute of limitations for refund or abatement, as applicable, had expired prior to the  
3191 effective date of this act.

3192 SECTION 210. Section 62 shall be effective for taxable years beginning on or after  
3193 January 1, 2012

3194 SECTION 211. Sections 63, 65 and 70 shall be effective for tax years beginning on or  
3195 after January 1, 2011.

3196 SECTION 212. Section 71 shall apply to stamps purchased on or after January 1, 2012.

3197 SECTION 213. Section 5 shall take effect on May 4, 2012.

3198 SECTION 214. Section 36 shall take effect as of January 1, 2009.

3199 SECTION 215. Section 44 shall take effect on September 1, 2011.

3200 SECTION 216. Section 81 shall take effect April 1, 2012.

3201 SECTION 217. Sections 94 and 95 shall take effect 180 days after the effective date of  
3202 this act.

3203 SECTION 218. Section 109 shall take effect on October 1, 2012.

3204

3205 SECTION 219. Section 174 is hereby repealed.

3206 SECTION 220. Section 219 shall take effect on July 1, 2012.

3207 SECTION 221. Except as otherwise specified, this act shall take effect on July 1, 2011.